

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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## AGENDA

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, May 12, 2016, at 6:00P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will commence its monthly Regular Meeting in open session **Thursday, May 12, at 7:30 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. If further Closed Session is required, the Board will return to Closed Session following the end of the Regular Meeting.

### 1. Call to Order/Roll Call 6:00 P.M.

### 2. Closed Session-Public Comment

- a. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: Jonathan Holtzman/Randy Riddle, Renne Sloan Holtzman Sakai LLP; Unrepresentative Employee: General Manager/ Chief of Police.
- b. PUBLIC EMPLOYEE APPOINTMENT-Title: (Interim General Manager/Chief of Police.
- c. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54959.9: 12 potential cases); PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.
- d. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (1potential case); PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.

Closed session item (c) relates to the Board's consideration of whether to disclose publicly some or all of the investigation report regarding the October 7, 2015 traffic stop of Vanessa Cordova by Kensington police officers.

### 3. Regular Meeting: Open Session-Call to Order/Roll Call 7:30 P.M.

The Board will return to Open Session at approximately 7:30 PM and will report out on the Closed Session if reportable action is taken.

Note: All proceedings of the open session meeting will be videotaped.

4. **Public Comments** Members of the public may address the Board on any issue on the Consent Calendar and items not listed on the agenda that are within the subject matter jurisdiction of the District. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Each speaker is allowed a maximum of five (5) minutes per Board Policy 5030.41.

### 5. Board/staff comments

## 6. Consent Calendar

- a) Minutes of the Special/Regular Meeting of April 14, 2016 P-4
- b) Minutes of Special Meeting of April 27, 2016 P-19
- c) Unaudited Profit & Loss Budget Performance Report for April 2016 P-24
- d) Park Revenue & Expense Report for April 2016 P-27
- e) Board Member Reports-None this month
- f) KPD Monthly Statistics for April 2016 P-34
- g) Training/ Reimbursement Report-None this month
- h) Correspondence P-41
- i) Recreational Report P-140
- j) Monthly Calendar P-141
- k) General Manager's Report P-143

## 7. Old Business

- a. Update from Ad Hoc Committee on Governance.

## 8. New Business

- a. The Board will receive a presentation from the Independent Auditor, Craig Fechter, regarding fiscal year ending June 30, 2015, Financial Report for the District. The Board may vote to accept the report. Board Action Item. P-144

**General Manager Recommendation:** Receive the presentation, take public comment, deliberate and accept the report. Board Action Item.

- b. The Board will discuss possibly changing the order and manner in which it takes general public comment for items not on the agenda. P-180

**General Manager Recommendation:** Discuss the item, and take public comment and provide direction to staff. Informational item.

- c. The Board will consider approving a contract extension for Interim General Manager/Chief of Police Kevin Hart, with no proposed change in monthly compensation, benefits or other terms and conditions of employment, other than the term of the contract, which will be determined by the Board in its consideration of this item. Board Action Item. P-181

- d. The Board will receive a presentation from the IGM/COP, regarding the fiscal year 16/17 budget for the Kensington Police Protection and Community Services District. The Board may take action to approve the budget. Board Action Item. P-182

**General Manager Recommendation:** Receive the presentation, and take public comment, deliberate and approve the 16/17 Budget. Board Action Item.

- e. The Board will review Resolutions-2016-5, 2016-6, & 2016-7, prepared by NBS, that initiate the process of collecting the annual Park Assessment Tax. The Board may take action to approve the resolutions. Board Action Item. P-264

**General Manager Recommendation:** Receive the presentation, take public comment, deliberate and approve the resolutions. Board Action Items.



- f. The Interim General Manager/Chief of Police will present, for Board approval, Kensington Police Protection and Community Services Resolution-2016-8, ordering the even year Board of Directors election, the consolidation of elections, and the specifications of the election order. Board Action Item. P-332

**General Manager Recommendation:** Receive the presentation, and take public comment, deliberate and approve the resolution. Board Action Items.

9. **ADJOURNMENT:** Next meeting is scheduled for June 9, 2016 at 1930 hours, unless changed by the Board of Directors.

#### General Information-Accessible Public Meetings

NOTE: UPON REQUEST THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT WILL PROVIDE WRITTEN AGENDA MATERIALS IN APPROPRIATE ALTERNATIVE FORMATS, OR DISABILITY-RELATED MODIFICATION OR DISABILITIES TO PARTICIPATE IN PUBLIC MEETINGS. PLEASE SEND A WRITTEN REQUEST, INCLUDING YOUR NAME, MAILING ADDRESS, PHONE NUMBER AND A BRIEF DESCRIPTION OF THE REQUESTED MATERIALS AND PREFERRED ALTERNATIVE FORMAT OR AUXILIARY AID OR SERVICE AT LEAST 2 DAYS BEFORE THE MEETING. REQUESTS SHOULD BE SENT TO:

Interim General Manager Kevin. E. Hart, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707. **POSTED:** Public Safety Building-Colusa Food-Library-Arlington Kiosk- and at [www.kensingtoncalifornia.org](http://www.kensingtoncalifornia.org).

Complete agenda packets are available at the Public Safety Building and the Library.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Services District that are distributed to a majority of the Board less than 72 hours before the meeting, excluding records that are exempt from disclosure pursuant to the California Public Records Act, will be available for inspection at the **District offices, 217 Arlington Ave, Kensington, CA 94707** at the same time that those records are distributed or made available to a majority of the Board.

The deadline for agenda items to be included in the Board packet for the regular monthly meeting is the Wednesday before the regular scheduled Thursday meeting the following week.

*These are draft minutes. Once approved by the Board, the minutes will be posted on the District website, under the dropdown menu "Approved Minutes."*

### **Meeting Minutes for 4/14/16**

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, April 14, 2016, at 6:30 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. The Regular meeting of the Board of Directors followed.

#### **ATTENDEES**

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddle, Renne Sloan Holtzman Sakai LLP
Rachelle Sherris-Watt, Vice President	Adam Benson, Renne Sloan Holtzman Sakai LLP
Chuck Toombs, Director	John Holtzman, Renne Sloan Holtzman Sakai LLP
Patricia Gillette, Director	Mike Hazelwood, Renne Sloan Holtzman
Vanessa Cordova, Director	Justin Buffington, Rains Lucia Stern, PC Officer Theodore Foley Linda Lipscomb
<u>Staff Members</u>	John Gaccione
Interim GM/COP Kevin Hart	Linnea Due
Sgt. Hui (on duty)	Gloria Morrison
Lynn Wolter, District Administrator	Leonard Schwartzburd Mabry Benson
<u>Press</u>	Andrew Gutierrez
Linnea Due	Marilyn Stollon
	Lori Trevino
	Jim Watt
	A. Stevens Delk
	David Spath
	Lisa Caronna
	Garen Corbett
	Rob Firmin
	Karl Kruger
	Gayle Tapscott
	Gail Feldman
	Paul Dorroh
	Rick Artis
	Barbara Steinburg
	Celia Concus

President Welsh called the meeting to order at 6:33 P.M. President Welsh, Vice President Sherris-Watt, Director Toombs, Director Cordova, Director Gillette, Interim GM/COP Hart, and District Administrator Wolter were present.

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### **PUBLIC COMMENTS**

A member of the public asked for more information about the subject matter that would be discussed in the Closed Session. President Welsh responded that this was a lawsuit that had arisen from an injury on one of the paths.

### **CLOSED SESSION**

The Board entered into Closed Session at 6:34 P.M.

Conference with Legal Counsel – existing litigation, (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Meyers. V. Kensington Police Protection and Community Services District.

The Board returned to Open Session at 7:06 P.M.

President Welsh took roll call. Vice President Sherris-Watt, Director Toombs, Director Gillette, Director Cordova, and President Welsh were present.

President Welsh reported that, in Closed Session, the Board had been briefed by its attorney on the agenda item and that no action had been taken.

IGM/COP Hart asked President Welsh if Item 8a, under New Business, could be taken first. President Welsh responded in the affirmative.

8a. Introduction of new employee: The IGM/COP introduced Theodore Foley to the community and swore him in as Kensington's newest officer.

IGM/COP Hart asked Theodore Foley to join him at the podium. IGM/COP Hart provided background information on Theodore Foley: Attended the Police Academy in 1994; Visalia Police Department; Madera County Sheriff's Office; ICE; served in U.S. Army 1994-99 and in U.S. Coast Guard 2009-present; Kensington Reserve Officer 2010-16, with two commendations; POST Firearms Instructor, Impact Weapons Instructor, Range Master; and speaks Spanish. IGM/COP said it was his pleasure to swear him in. IGM/COP Hart administered, and Theodore Foley took, the oath of office. IGM/COP Hart pinned on the badge and introduced Officer Foley, who was welcomed with a round of applause. Officer Foley thanked IGM/COP Hart and the District for the opportunity and said he looked forward to meeting members of the community.

### **PUBLIC COMMENTS**

Linda Lipscomb spoke about the recent investigation, completed by the Richmond Police Department, about the traffic stop involving Director Cordova. She said that, when she had moved to Kensington in 1977, Kensington had been a friendly town governed by volunteers. She said that, a few years earlier, District business had started to be sidetracked and that she thought this was the goal of some who wanted to make the District appear to be in constant disarray and chaos. She said this was meant to make our small community susceptible to being "sucked up" by neighboring El Cerrito. She noted that Kensington was in the Sphere of Influence of El Cerrito and said there was a definite push from the more vocal critics of the Board towards contracting out with El Cerrito for Kensington's police services. She said that there were several legal reasons why that might not be possible. She said that preserving Kensington's independence was important because it afforded the community a safe way of life. She said that she had been a Director and had been on the receiving end of invective and disapproval and that the Directors should be thanked for their service. Ms. Lipscomb said there was an official report of the investigation of the vehicle stop of one of the Directors and the ensuing interaction with Kensington officers. She noted that several official complaints had been made. She said she called on everyone,



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officers and Directors, to waive any privilege they might have which could prevent the release of the investigation report. She said this was an educated community and that, if those involved really stood for transparency, they would encourage the release of the report to the citizens so they could judge for themselves what happened. Otherwise, all the community would have was what it currently had – speculation, interpretation, and spin. She said there should be an immediate review of Board policy regarding Board member participation on social media, especially with respect to matters over which the Board had within its purview. She said that, when a Director wrote to a social media site – such as Kensington Next Door – about a matter before the Board, it created the appearance of bias and that, should another Director join in the discussion, then no other Director could join in because it could constitute a violation of the Brown Act. She said other matters were not to be disclosed. She reiterated her thanks to the Directors for their service.

Justin Buffington introduced himself as the attorney for the Kensington Police Officers' Association. He said he was at the meeting to discuss the internal investigation about the traffic stop involving one of the Directors and said he was glad that Ms. Lipscomb had mentioned the concept of releasing the report in question. He said there had been a number of allegations made about the police department in general and not just the POA: Those were allegations of conspiracy by members of the police department and the Association to stalk, harass, and intimidate the Director in question. He said the POA had been waiting for the report to come in, in the form of the report he held in his hand. He said the report had been completed by an outside investigator with the Richmond Police Department, who didn't "have a dog in the fight" and hadn't known any of the involved parties. He said, therefore, that it represented an impartial investigation and inquiry into the circumstances that had occurred in October 2015. He said there was an audio recording of the entire traffic stop, which had been part of the investigation. He said the POA now had an opportunity to respond and it had done so in the form of a summary of some of the facts that had occurred, which had been referenced in the investigation. He noted that a number of people had seen that summary. He said that, now, the investigation itself was available, that the people involved did have a privilege, and that the officers involved had decided to waive their privilege and allow the public to see the investigation so the public could scrutinize the investigation and conduct its own analysis. He said that, out of respect for the Director involved, the POA said it would give the Director an opportunity to give her assent to release the report, even though he and the POA didn't believe any privacy rights were implicated by its release because privacy rights were meant to protect the rights of employees and not complainants. He said he and the POA asked the Director to agree to the release of the document, at which time he and the POA would make it available to the community. He said that he and the POA hoped that the Director would want the truth to come out and would agree to the release. Mr. Buffington distributed copies of a document he asked to be included in the record. This document appears in the May Board Packet, under correspondence.

John Gaccione asked what this meant, with respect to the recent press release, which he said was embarrassing. He asked if President Welsh was going to offer an apology for the comments he had made at the prior month's meeting, which Mr. Gaccione said had been disrespectful of another Board member. Mr. Gaccione said an apology should be forthcoming. He then read some passages from the Kensington Police Department's Policy manual's Law Enforcement Code of Ethics, which says that an officer's fundamental duty was to serve the community; to safeguard lives and property; to protect the innocent, the weak, and the peaceful; to keep one's private life unsullied; not to bring discredit to oneself or one's agency; not to act officiously; or to let personal feelings prejudice or influence one's decisions. He noted that the code said that an officer's badge was a symbol of public faith, that an officer would never engage in or condone acts of corruption or bribery, and that an officer alone was responsible for his/her behavior.

Linnea Due asked what document Mr. Buffington had given to the Directors and staff. Ms. Due asked specifically if Mr. Buffington had distributed the investigation report itself because she had understood that the Board would be the appeal body. She asked if the officers had waived their right to an appeal. President Welsh responded that Mr. Buffington had distributed a copy of the press release from earlier in the week, which was not the report.

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A. Stevens Delk announced that the Fire District would be offering a free paper-shredding event on April 10<sup>th</sup> between 10:00 A.M. and 2:00 P.M. She said that, at last month's meeting, she had cited the Kensington Police Policy Manual, which said that weapons would be issued by the police department. She said that IGM/COP Hart had responded that they were not so issued. She had then asked what the manual said, he had replied that the department did not issue weapons. She said that, later, IGM/COP Hart had shown her the policy statement, which says that the department-issued weapon would be a specific type of handgun. She said she had interpreted this to mean that the department would issue a handgun. She said that IGM/COP Hart had told her that the policy manual was an "off-the-shelf" version that the department had "tweaked." She noted that the department purchased this document through a \$2,000 per year service. She said that IGM/COP Hart had submitted a 100-day plan at the time he had been hired and that one of its stated goals had been to review and update the policy manual. She said that had been 300 days earlier. She said that, if there had been any updates, they had been intra-departmental and had not been posted on the online version. She asked IGM/COP Hart to remedy this problem.

Gloria Morrison asked about the grant application that had been submitted for WW funds. Vice President Sherris-Watt responded that she would address that under Board comments.

Leonard Schwartzburd said that it appeared that the report was going to be released and that this pleased him. He said he hadn't had a chance to read, in its entirety, what Mr. Buffington had been distributed. He said that, regardless of whether some of the facts were correct, they didn't explain why the officers had stopped the Director outside of Kensington. He said he believed she had been targeted. He said that Director Cordova's having said that Sergeant Barrow had glared at her was consistent with Sergeant Barrow's behavior towards him. He said he had been a strong critic of how the Board and some of the police had operated. He said there were really good officers on the force and some who were the opposite. He said he had asked IGM/COP Hart to keep Sergeant Barrow away from him because he didn't trust his judgment. He said that IGM/COP Hart was minimizing Director Cordova's saying that Sergeant Barrow had followed and stopped her in Berkeley and then harassed her. Dr. Schwartzburd said he believed that IGM/COP Hart was now part of the culture of cover-up that had existed and still does exist. He said that Jan Behrsin's letter, which had been circulated three years earlier, had characterized Kensington as a police state. He said that this was accurate because, when police acted as though they were above the law, then it was a police state. He said that Sergeant Barrow "skated again" and that, in this, he was above the law. He speculated what it was that Sergeant Barrow "had" on Board members that allowed him to behave in such a flagrant manner. He said that IGM/COP Hart had supported criminal activity by Officer Ramos by deliberately covering up a crime and then conspiring with Sergeant Barrow to falsify the police report. He said there was video evidence, which IGM/COP Hart had seen, that showed the destruction of evidence of a crime, which IGM/COP Hart had tried to explain as not a crime and this defied the laws of physics. He said the report itself spoke of collusion between Sergeant Barrow and Officer Ramos. He asked what IGM/COP Hart was going to do about the lawless behavior of these officers on his watch. Dr. Schwartzburd also said that, when it came to collusion, IGM/COP Hart had given him the choice of only Sergeant Barrow or Officer Ramos to investigate the crime that had been committed against himself. He said this had left him with a clear conviction of whom the criminals really were. He said that, if the Board allowed harassment of this elected official to stand unchallenged, this would be the final straw for him, as was Director Cordova's claim that the police department was corrupt was true, as was any majority vote of the Board. He asked where the due process was. He said that the words used by Sergeant Barrow's "mouthpiece" were similar to the way Cathie had been treated by the then majority. He said character assassination was the modus operandi of the "power-trippers" who had been running things. He said Director Cordova should have courage, she shouldn't let "these people" frighten her into paralysis, and she should continue to fight for her constituents. He said that, if the Board majority were to pass an MOU that was the "shell game" that the present one was, then this, along with a lot of other things, could be corrected after the upcoming election.

Mabry Benson said that the reasons people left their jobs were their manager or their work environment – it often had nothing to do with money. She said that, to the best of her knowledge, the Board had never conducted exit interviews to find out why the District's employees, particularly the good ones,

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were leaving. She said the Board should have known there were serious personnel matters rather than just ignoring them. She said this was another example of the Board's failure of oversight. She said her criticisms of the police department were meant to improve it. She said that, at the prior month's meeting she had raised questions:

- What was the District's interest in the officers' weapons?
- Was there going to be any discussion about authorizing a study of the community's policing needs?

She addressed Ms. Lipscomb and said she agreed that police investigation records should be opened up. She said there was a Senate bill that would make all complaint records open to the public and said she supported passage of this. She said that, when police refused to make records public, it begged the question, "What are they hiding?" She said this protected the bad police and did a disservice to the good police.

Andrew Gutierrez said that he had been mentioned in the Rains document and that the language was unprofessional. He said the community should be ashamed that it occurred here and that the POA hired such people. He said that, with respect to his own complaint, Dr. and Mrs. Fouda had not been interviewed. He said there had been one person, not two people involved in the incident, and it had been Officer Turner. He said the report had said the incident had occurred on the Arlington but it had occurred at the approach to the Blake Estate. He said it was not dark but that the officer had said the taillight was out and that, to catch him, the officer had to have traveled at a high rate of speed. He said he had said this was harassment. He said the report was fiction. He said Kensington was no longer Mayberry: It was more like a little Chicago. He said the language used to describe Ms. Cordova was unprofessional and that the incident, as reviewed by another police department, was not trustworthy and shouldn't be released. He said that, when his son had been recovering from cancer, Officer Ramos had found that his son's license sticker hadn't been current, that his son had been cited in the middle of the night, and that his son's car had been legally parked on the street. He said the fee had been paid; his son just hadn't affixed the sticker because it hadn't arrived. He said he did not have confidence in the police department; although some of the officers were really nice law abiding people, some were not.

Marilyn Stollon said she wanted assurance that she would not be subjected to retaliation by the police force for her comments. She said that, because they had received Police Officers' Association endorsements, she wondered if President Welsh, Director Toombs and Director Gillette would denounce the smear tactics of the Police Officers' Association's attorney. She asked if the police officers deserved a pay increase after having resorted to these tactics. She said that the Board majority wasn't providing oversight of the Interim Chief and that the Police Officer's Association was running the town. She said that, with respect to the Richmond Police Department's investigation of the traffic stop, IGM/COP Hart had said the report would be impartial and thorough, that he would get the Richmond officer's recommendations, and that he may or may not follow them. She said that IGM/COP Hart had said that personnel information would not be released but that he would release as much as he could. She said she had been somewhat encouraged, even though it would be police investigating police. She asked how IGM/COP Hart could have all the relevant information if only KPD officers who hadn't there had been interviewed, but Berkeley residents on Ensenada who had seen the stop hadn't been interviewed. She said the smog test hadn't been interviewed nor had Vice President Sherris-Watt, who had publicly verified information. She asked if it was proper for a city manager to leave town for several days, the day after a crisis. She said that, by doing so, IGM/COP Hart had delayed filing documents. She asked if the investigator had looked into how the Directors had supervised this. She said she would be interested in seeing what the investigator's recommendations might be for these issues, should the report be released. She asked if the press release, which referred to parts of the investigation, was an indication of the fabrication that existed in the Richmond IA report – cops investigating cops. She said this would be the second road to litigation. She said that she advocated adherence to the Brown Act but that the Board majority was continuing to maneuver behind the scenes, with quickly scheduled Closed Sessions to approve an MOU in 2015 and to extend the contract of the current IGM/COP. She said there was documentation that several of the Directors had been contacted by phone when the Reno scandal had occurred, despite having said that they knew nothing until the investigation had been completed. She said she had lost faith in the majority Board. She said President Welsh and Directors Toombs and Gillette should resign.





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Lori Trevino said she wanted to talk about Justin Buffington's press release, which she said was shameful and disgusting and a transparent attempt to smear someone who had been a longtime resident of the community. She said it was an attempt to divert attention away from something important. She said that there likely were strings attached to asking the Director if she would agree to releasing the report. She said the press release reported that the allegations of harassment and stalking had been determined to be unfounded because the traffic stop had been found to be lawful. She said the investigator didn't interview all the witnesses and that he didn't interview anyone who could have validated Director Cordova's claims. She questioned whether it had been a lawful stop. She said that the press release said that Director Cordova had been driving without a license and that she didn't have valid registration. Ms. Trevino said there was documentation that these were not true statements. She said Director Cordova had had a valid driver's license and a moving permit in her possession. She said that Director Cordova had been cited for having expired tabs and that, on the day of the citation, Director Cordova was going to get the smog certification to complete her registration process. She said Director Cordova had been cited for not having a front license plate, something she claimed not to have known was a requirement and had not intended to dispute. Ms. Trevino said this had been selective enforcement. She said that, on that day, there had been four cars parked within close proximity to the Police Station and that one of them was parked outside the Community Center that night. She said that it was believed that at least two of the vehicles belonged to police personnel and she provided copies of photos of the vehicles. She said that officers didn't cite vehicles if they belonged to friends and colleagues but they did cite the "crazy Board member" two miles away, in a different county, while getting food. She asked if data about other vehicles missing front license plates would be provided to the investigator. She said that several District vehicles didn't have front license plates at the time of Director Cordova's stop, including one that had been owned by the District for years. She said she understood there had been a reason for this – an officer had been out for an extended period of time, due to illness. She said she would like to see evidence that Kensington Police had ever initiated pursuit of someone in a traffic stop outside Kensington. She said that, when officers issue a citation in a different county they were supposed to find out the location of the courthouse where the citation was to be filed. She said she didn't believe the citation had been filed yet. She said she would like to know how this had been a valid traffic stop.

Jim Watt said that he had attended the prior night's Fire Board meeting. He said that meeting's purpose had been to hear from the structural engineer that the Fire Board had hired to assess the Public Safety Building, which he said is jointly used by the police and fire departments. He said there would be actions taken in an attempt to rectify the defects associated with the building. He said he had been attending Fire Board meetings since the start of the year and that the concerns about the building had been discussed since then and prior to that time. He said that the Fire Board President, Don Dommer, had spoken with President Welsh and IGM/COP Hart about the retrofitting, or possible replacement, of the Public Safety Building. He said the Public Safety Building had been built in 1969, to standards that no longer apply for seismic safety purposes. He said the building had been upgraded with retrofits, but these had been just partial and had encompassed just part of the building. He said the structural engineer had said the Fire Board needed to do something about this essential services building; whether it involved a full tear-down and rebuild or a major retrofit wasn't known. He said the Fire Board anticipated having that information within the next four months. He said this would cost a significant sum of money and could easily involve disruption of the police department and the fire department, which may have to move out during the work. He said there would be a significant cost to the District, when it looks to find a place to re-locate the police department. He said that, assuming the police reoccupy the space, the KPPCSD would no longer receive the benefit of the \$1.00 per year rent. He said he was mentioning this because he sits on the Finance Committee and on the Parks Building Committee, and the KPPCSD has the same problem with the Community Center. He said there were still some unknown costs of what it would take to fix the Community Center and that there were some who would like to bring the Community Center up to more than just seismic standards and ADA compliance. He said that the community was facing two issues that were going to result in significant cost. He said he requested that President Welsh, IGM/COP Hart, and others put this issue on the agenda in order to bring it to the public's attention.

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President Welsh announced that he was suspending public comments because Director Gillette needed to leave at 9:30 P.M. and there were significant things on the agenda that needed to be discussed. He said he would accommodate those who still wanted to comment later in the agenda. Director Gillette added that it wasn't just that she had to leave; there were people in the audience who had come to hear about specific agenda items.

Director Cordova noted that the LAFCO agenda item would take about two minutes and asked that it be addressed. President Welsh responded that he wanted to take up the MOU first and would then address the LAFCO item.

### **BOARD COMMENTS**

Vice President Sherris-Watt reported that the Park Buildings Committee had submitted a grant request to the East Bay Regional Park District for \$158,358 of Measure WW funds. She said the grant documents had appeared in the prior month's Board Packet. She said the District would be part of the grant review in late May or early June.

Vice President Sherris-Watt reported that, the prior night, she had attended the Fire Board meeting. She said that the Fire Board had released the Biggs Cardoza seismic assessment and that this report would appear on the Fire District's website.

Vice President Sherris-Watt asked if the Rains Lucia Stern (Buffington) press release would be on the May agenda. President Welsh responded in the negative. President Welsh said he wanted to make it clear that the KPPCSD had nothing to do with the press release but that it would appear as part of the record in the agenda packet because anything that was submitted would appear. Vice President Sherris-Watt said that, therefore, she was submitting, for the record, her response to the Rains Lucia Sterns press release, dated April 12, 2016.

Vice President Sherris-Watt announced that the Park Buildings Committee would meet again in a few weeks.

President Welsh reported that, when he had spoken with Mr. Dommer, the Fire Board's intention had been to have a town hall meeting at which issues related to the Public Safety Building would be discussed and that this meeting would likely happen at the end of May or early June.

President Welsh said the Board would discuss the MOU, Item 7b.  
IGM/COP Hart left the dais.

- 7b. The Board received a report regarding a proposed contract with the Kensington Police Officers' Association and the Kensington Police Protection and Community Services District. The Board reviewed the terms and condition of the contract and considered taking action to approve the contract. This was the second reading of the MOU.

Adam Benson provided a summary of the proposed MOU. He referred to a one-page summary that had been handed out as a supplemental document and that provided the high-level parameters of the tentative MOU. IGM/COP Hart distributed copies of this document, and it is included in the May Board Packet, under correspondence. Mr. Benson provided highlights of the proposed MOU:

- The agreement would run from July 1, 2014 through December 31, 2017.
- There would be no wage increase for the period 7/1/14 through 2/29/16
- There would be a 3% across-the-board increase plus a \$1,000 non-recurring lump sum payment on 3/1/16.
- There would be a 3% across-the-board-increase on 3/1/17

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- Employees would contribute 2% and the District would contribute 7% of EPMC beginning 3/1/16.
- Employees would contribute 4% and the District would contribute 5% of EPMC effective 3/1/17.
- Employees would contribute \$85 per month toward the cost of healthcare effective 1/1/17 and would contribute \$125 toward this cost effective 6/30/17.
- Retirees would make the same contributions toward healthcare costs.

Mr. Benson noted that, beginning on page 116, the Board Packet contained a compensation analysis, which compared Kensington to Berkeley, Albany, Broadmoor Police Protection District, Central Marine Police Authority, East Bay Regional Park District Police, El Cerrito, Moraga, Piedmont, and Richmond. He said that, from a total compensation perspective, KPPCSD officers were about 4.2% behind the market median and 5.9% behind the market average. He noted that this comparison included healthcare and retiree medical. He said that, on page 117, there was a compensation analysis that compared Kensington officers' total compensation to Broadmoor, Central Marin Police Authority, and the East Bay Regional Park District (only Special Districts) and that this analysis showed that Kensington Officer's position improved in this isolated analysis such that the officers' total compensation was about 3.7% above the market median. He said that this analysis contained a small number of employers and that such analyses usually included ten agencies. He said that, on page 118, there was an analysis comparing Kensington officers' total compensation to that of an El Cerrito Firefighter, which showed that Kensington officers were about 1.5% behind.

Mr. Benson said that, in response to information received from a community member about compensation for officers in Moraga, Ross, Tiburon, Belvedere, and Clayton, he had prepared an analysis that appeared on page 119 of the Board Packet. He said that this analysis showed information about MOUs recently enter into, with respect to wages, EPMC give-backs, and the net changes over the life of each agency's MOU. He said that Kensington's proposed MOU would result in about a 1% net increase. He said, using the same methodology for each of the other jurisdictions over the life of each agency's most recent MOU, Moraga would see a 3.25% increase, Tiburon a 3% increase, Belvedere a 1% increase, Clayton a 1% increase, and Ross a 2% increase. He noted there would be similar increases in medical care costs among all the agencies.

Mr. Benson said that, on page 120 of the Agenda Packet, there was a cost analysis. He reported that the analysis showed information contained in the 2015-16 budget, an estimated impact on the 2015-16 budget if the proposed MOU were to be adopted, and forecasts for the fiscal years 2016-17, 2017-18 and 2018-19. He reported that most of the increase, during the years covered, would be driven by increases in PERS rates. He noted however that, because of the significant decrease in the amount needing to be paid for the UAAL Side Fund (where the District pays for unfunded liabilities) in Fiscal Year 2018-19, there would be a resulting 2.83% decrease in the total wages and benefits with the adoption of the proposed MOU. He said this analysis showed that the net increase would be relatively low. President Welsh asked Mr. Benson to explain what the impact would be if the District were to make no changes – not to adopt the proposed MOU. Mr. Benson responded that personnel costs would still increase, citing CalPERS and Kaiser healthcare costs in particular. Mr. Benson said that, as compared to the existing MOU, the proposed MOU would be net neutral. In response to a question posed by a member of the audience, Mr. Benson said the proposed MOU would not result in any greater cost increases than what would result from maintaining the status quo.

John Holtzman said that, if the Board took a position and the Police Officers' Association didn't agree, the Board would have the legal right to impose a contract on the union, over its objection, after the Board had completed all the required impasse procedures. President Welsh asked how long that would take. Mr. Holtzman responded this would take about six months and money. He added that the difficulty of imposing a contract was that it could be imposed for only one year and so it didn't fix much because everyone would need to be back at the bargaining table almost right away.



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Mr. Benson said that page 121 of the Board Packet contained an analysis comparing the previously proposed MOU and the currently proposed MOU. He said this comparison showed that, over the same duration, the previously proposed MOU would result in a 5% increase in costs and the currently proposed MOU would result in a 0.32% increase.

Director Cordova asked why Mr. Benson had compared a Kensington officer's compensation to that of an El Cerrito Firefighter. Mr. Holtzman responded that he may have been the one to have asked for this. Director Cordova responded that this had not been a great comparison. President Welsh noted that he, too, had been curious about this comparison. Director Cordova noted that El Cerrito Firefighters do not receive retiree medical benefits; instead, the retirees receive a medical allowance. Mr. Holtzman noted that the comparison may have arisen because of the retiree medical benefits issue. Mr. Holtzman clarified that the El Cerrito Firefighters had a defined medical benefit plan and that the difference between what Kensington provided to its retired officers and what El Cerrito provided to its retired firefighters was about \$150 per month. He noted that it was more beneficial for an employer to have a defined benefit program. Mr. Benson noted that El Cerrito officers' total compensation ranked fourth out of the ten agencies included in the comparative analysis and that their total compensation was \$11,341 per month. He said Kensington officers' total compensation for the same rank and step was \$10,575. Mr. Holtzman also noted that the Fire District's retiree medical trust was almost fully funded because it no longer had a defined benefit plan, it no longer had its own new firefighters, its plan was closed, and it had had money to fully fund its OPEB.

Director Cordova said she wanted to discuss the safety equipment clause. She said it looked like redundant funding. She said the Board had recently approved the purchase of new safety equipment and then the proposed MOU contained a \$250 safety equipment allowance per officer. She asked whether the District would own the equipment that officers would purchase with this allowance. Mr. Holtzman responded that, generally speaking, an allowance meant that the employee owned what was purchased with it. IGM/COP Hart reiterated that the employee, not the District, would own items purchased with a safety allowance. Director Cordova asked if the allowance was a "use it or lose it" and if it was a "reimbursable." IGM/COP Hart responded that an employee would have to submit a receipt in order to be reimbursed for safety equipment purchased under the safety equipment allowance clause. He clarified that the District did not give each employee a check for \$250 each year.

Director Gillette said she supported the agreement, and she thanked those who worked on getting the agreement before the Board. She said that the fact that the officers would not have had a wage increase from July 1, 2014 through February 29, 2016 was significant and was a big bonus for the District. She said the duration of the contract would provide stability for the time it would take if the District were to decide to make changes, such as contracting out or consolidation. She said she didn't think the probability was very high that the District would make a decision to make changes prior to November 2016. She said the contract would extend one year beyond that and so would allow for a smooth transition, if one were to occur. She noted that this had been the first time in Kensington's history that the District had used professional negotiators and that this had made a real difference. She said that the cost of the contract was minimal to the District, and that it was important to be able to attract new officers and maintain existing officers.

Director Toombs said he had participated in the negotiations with Mr. Holtzman and Mr. Benson. He said that he had concluded that this would be a revenue neutral agreement and that the District would incur costs, whether the Board passed the proposed MOU or not. He noted that, with the proposed contract, officers would begin to contribute to their healthcare costs for the first time, and there would be cost savings because retirees would begin contributing to healthcare costs the first time. And, he noted that the officers would begin contributing to their pension costs. He said that it was a fair contract for both sides and that neither side had gotten what it had hoped for. He said the agreement would last just long enough for the community to decide what it wanted the future to look like. He said that, if changes in service were elected, then the District would need to meet and confer with the bargaining unit over aspects of any transition. He clarified that the agreement would come to an end at about the time that any transition would become effective. He said that delaying the MOU would only delay costs. He concluded by saying he supported the MOU.

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President Welsh asked Vice President Sherris-Watt if she had comments. She responded that she wanted to wait until after the public had commented.

Linda Lipscomb said she strongly urged the Board to vote to approve the MOU. She said it was a revenue neutral proposal that would provide stability to Kensington. She said everyone deserved to be congratulated for the expense-neutral contract. She said she wanted to thank the officers for their patience in having the contract re-negotiated so long after the initial negotiations had begun in 2013. She said that, when compared to the salaries of Kensington's four surrounding communities, Kensington's officers' salaries were 24% lower. She said Kensington would not be contracting out with Clayton, Moraga, or the falling-apart Contra Costa Sheriff's Department. She said the salaries in the proposed MOU were 20% lower than those of El Cerrito officers. She said that, for the period 2014 through 2016, El Cerrito officers' salaries had been and would be raised by 16.5% so that the employees could give back part of that for pension and medical contributions. She said Kensington's agreement underscored why it would not be wise to contract out with El Cerrito. She said that Kensington's contract with the El Cerrito Fire Department showed that Kensington was bearing almost 30% of the entire El Cerrito Fire Department budget. She said Kensington did not want to repeat that mistake with a police contract. She noted that the structure of the proposed MOU included employee participation in medical and pension contributions. She said this worked toward the implementation of the PEPR laws, which would be in effect in 2018. She urged the Board not to risk violations of various government code sections by failing to give the agreement an up or down vote, and she urged the Board to vote yes on the agreement.

Jim Watt provided a handout, which is included in the May Board Packet under correspondence, and said he wanted to present the other side of the story. He said information had been presented showing that salaries were below those of other jurisdictions, that the District should not be concerned about expenses exceeding revenue, and that there could be difficulties in attracting new officers. He said he had done a study in December that had been posted on the Ad Hoc Committee's website. He said he had compared Kensington's officers' compensation to that of Moraga, Clayton, Tiburon, Belvedere, and Ross primarily because they had similar demographics, had a low incidence of violent crime, were small, and had small police departments. He said that; when the costs of salaries, overtime, PERS, medical and medical costs for retirees, dispatch, fuel, and vehicle maintenance were allocated among Kensington's ten officers; it equaled just over \$200,000. He said these costs averaged \$167,000 per officer for the other jurisdictions he had examined. He said his numbers differed from those of Mr. Benson because of different methodology. He said that the process of examining a step against a step didn't address the fact that Kensington had a lot of senior officers: 50% of the police force held the rank of Corporal or above, and they were well paid. He said that the average salary for each officer, excluding the IGM/COP, was \$95,000. He said that, with the new MOU this average would increase by 6.09% to \$101,600. He said that, for the period 2006 through 2016, revenue had increased by a compounded rate of 2%, while expenditures had increased by 6.5%. He said that expenses were outstripping the revenue stream. He said that, during the past two years, the community had enjoyed a significant increase in its tax revenue because property values had risen but that, during some prior years, the tax revenues had declined. He said that salary increases would equal about \$60,000 with the new MOU, that this amount would be pensionable, and that the resulting pension obligation for Kensington would be about \$38,000 per year for the officers' retired lifespan. He said the net annual gain to the nine officers would be \$24,000 over the term of the contract. He concluded that the officers were not being penalized, that, as he had pointed out earlier in the evening, the community was facing some significant expenses between the Community Center and the Public Safety Building. He said that these costs were unknown and that, until the community knew what these costs were going to be, there would be no way to understand the impact of the MOU.

Celia Concus said to Mr. Benson that, when comparing the El Cerrito firefighters and their benefits with those of Kensington's officers, there were no dependents receiving benefits; only the retiree received a lump sum each month. She said that, every time some residents ask for some type of change or the ability to try something new, they are told there is an Ad Hoc Committee, and there are findings

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expected. She said that, with respect to the MOU, that should also follow. She said the MOU would freeze any kind of change in the District and that, therefore, it should not be voted upon.

Mr. Holtzman responded that, under Government Code 3505.1, the Board was legally required to vote, either up or down, on the MOU that night.

Karl Kruger said he was a member of the Finance Committee and had been for a number of years. He said he was asking the Board to support the MOU. He said District had been without a contract with its officers since July 2014. He said the contract would be revenue neutral and was probably the best that could be negotiated. He said one of the things he hoped would be addressed in future negotiations was the number of holidays (14), which he said was excessive. He said that, if people wanted to talk about fairness, he wanted to know how it was fair to have gone this long without a contract. He said that, if anyone in the audience were the employee and were being treated this poorly, they'd probably look for another employer. He said he was happy the agreement was revenue neutral. He noted there had been objections to a previous proposed MOU because of who had negotiated on behalf of the officers. He said that it wasn't up to the community who negotiated on behalf of the officers: The officers selected their own negotiators. He said that, in the interest of fairness, the Board should vote to accept the contract.

Gayle Tapscott said she wanted to read something she had received by email from a retired Alameda County attorney and Kensington resident. She read:

- The police officers' union had agreed to renegotiate a previous tentative agreement rather than filing an unfair labor practice charge with the Public Employees' Retirement Board (PERB).
- Kensington then hired one of the best law firms in the State to negotiate on its behalf and came up with an essentially revenue neutral agreement.
- While there have been complaints that there should be fewer benefits and lower wages, that is not the reality.
- To refuse this revenue neutral agreement would invite an unfair labor practice by PERB, which would have a dim view of Kensington, given all its politics of the past few years.
- Kensington got the best it could get, remembering there are two sides to agreement. A settlement means that neither side got what it wanted.

Ms. Tapscott said she had attended the earlier Finance Committee meeting at which it had discussed the proposed MOU, and it had appeared that some on the Committee wanted to contract out for police services. She said that, knowing the history of the negotiations, she feared the community would face another lawsuit, based on the law requiring the District to negotiate in good faith. She said that, if the Board didn't pass the MOU, it would be because they were faced with an onslaught of negative comments from citizens who don't want the agreement because they don't want the Kensington police doing Kensington jobs anymore: They want to outsource police services. She said the County and El Cerrito, and likely UC Berkeley, paid higher wages than Kensington; thus, it would be difficult to get the same services for less. She said that, more importantly, case law established that you cannot simply replace Kensington officers to do the same work by an outside agency – there would be requirements to meet and confer with the existing officers on the terms and conditions. She said a reasonable demand would be that the officers be hired by a new entity. She said this likely would take a minimum of six months, assuming no unfair practice charges were filed. She said there also would need to be negotiations between a new entity and Kensington about the cost of services provided as well as the level of service. She said this would take about another six months and probably longer, as it would involve the entire community. She said, assuming a new entity would be assigning its officers to Kensington, this would take another six months for a meet and confer. She noted that it would take at least three months for the Committee to present its findings to the Board and more time for the Board to make a decision. She concluded by saying the Board should approve the contract.

Gail Feldman introduced herself as the president of the Kensington Property Owners' Association and said she was speaking on behalf of that organization's board. She said her board applauded the Board returning to the negotiating table after it had received input from the community on the previous tentative agreement in 2015 and applauded the police officers for renegotiating the terms of their



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contract. She said that the MOU represented first steps toward the officers picking up medical and pension costs and that she hoped there was an understanding that the community couldn't afford to continue to pay the lion's share the employees' benefits, along with the large liability risks. She said there would need to be a higher level of cost sharing in order to contain costs within the community's limited tax resources. She said that, according to the analysis done by Mr. Benson, the cost of a police officer would be almost \$9,000 more per officer by December 31, 2017. She said the total cost between July 1, 2014 and December 31, 2017, should the proposed MOU be adopted, was estimated to be \$129,000. She noted that this cost would include the costs associated with retirees and the District's unfunded liability. She said the KPOA was evaluating the MOU to determine its affordability into the future. She said she wanted to know if property tax revenue would keep up with police salaries and benefits. She said that, if the District had sufficient revenues for police salaries and benefits, would it have money available for things such as reserves and Community Center improvements. She asked if the Board would consider the MOU to be affordable if every new tax dollar would be needed to cover police salaries and benefits. She concluded by saying that she looked forward to future collaboration between the Property Owners' Association and the Board.

Paul Dorroh said that the Finance Committee had met about 10 days earlier and had reviewed the financial implications of the MOU. He reported that Mr. Benson had been present and had provided detailed information. He said that the Committee had voted, 8 to 5, to recommend to the Board that it adopt the MOU and that he had been one of the eight who had voted in favor. He explained that he had vote in the affirmative because:

- This had been a negotiation. The Committee didn't get to provide input about an ideal in the abstract. The District had been represented by experienced professional negotiators. He added that neither side had been happy with what had been negotiated and that this was usually a sign of a good result. Thus, he said, there was no reason to think the District could have done better in the negotiations.
- Important advances had been made with respect to active and retiree contributions toward medical costs and with respect to contributions to pension costs. He noted that new (PEPRA) employees would enjoy a less-rich pension benefit; retirement would be 2.7% at age 57 instead of 3% at age 50. He said this would create a significant difference over time.
- Of the issue of fairness, he said the officers had served the community well and negotiations had gone on for over two years. There was a result that would serve both sides well.

He concluded by saying that he hoped the Board would approve the MOU.

Mabry Benson said she couldn't find anything in the contract that would allow the District to consider any other mode of providing police services. Director Toombs responded that this was addressed in the contract, under management rights – paragraph 2a. She noted that this was a tentative contract until the Board approved it and that the Board had the right to reject it. She said she understood that the District had an obligation to its past retirees and asked if the agreement would obligate the District to future retirees. Mr. Holtzman responded that the District did retain the right to contract out. With respect to retirement, Mr. Holtzman said that the District had an obligation to provide the same benefits to active employees and retirees; if benefits for actives were to change in the future, the same change would apply to the retirees. Ms. Benson asked if the District had an obligation to future retirees. Mr. Holtzman responded that new retirees would receive the same benefit as active employees but that there would be nothing that would prohibit the Board from changing that in the future. She said that Directors Toombs and Gillette had been negotiating and had received a \$900 campaign donation from the Police Officers' Association. She added that, even though PLG had taken the lead in the most recent negotiations, Director Toombs had continued to be involved. She said that campaign contributions were made for the purpose of influencing decisions, that accepting the contribution was inappropriate, and that this should cause these Directors to recuse themselves from voting on the MOU.

John Gaccione said the past GM/COP and the current IGM/COP had both complained, when they had taken office, that the department had been "a mess" – the office had lacked security, the evidence room had been disorganized, computer files had not been secured, records had not been kept current, and budgets had not been completed. He said that, during this time, the officers had received top-level pay and generous benefits. He wondered what the community had been paying for and said he had a tough

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time reconciling this. He asked where the oversight had been to ensure that the community was getting what it had been paying for. He said some members of the Board were in a hurry to approve the MOU, and he asked why there was a rush. He said the terms of the proposed MOU varied little from the current MOU. He said he didn't believe that this was the best deal and said the Board should negotiate tougher, instead of "giving away the store, again."

Marilyn Stollon said the proposed MOU was costly because it was starting from highly benefitted positions. She said it didn't do enough to contain costs. She said that the MOU had been negotiated by Director Toombs and that he had accepted an endorsement from the Police Officers' Association. She asked how it could be construed to be impartial when a Board member voted on what had been negotiated. She said that, in other towns, where there was a town manager, that individual could negotiate contracts but did not vote. She said it would be a conflict of interest for a Board member to vote on a contract that he/she helped to negotiate. She noted that, in Kensington, people made it up as they went along. She said the contract did not have specific language on contracting out, as was the case in Fairfax, Moraga, and Atherton. She said that the five Finance Committee members who had voted not to support the MOU had voted in the negative for various financial reasons. She said she agreed with those individuals and said the MOU needed to be "tightened up" so that it would be more fiscally conservative. She said compensation should not be driven by what other communities were paying. She said the officers should live within the community's means and should not have any pay increases. She said costs would continue to grow exponentially as the District had more retirees and increased benefits costs. She said that the proposed MOU couldn't be undone easily because the previous MOU had "given away the store" and that employees didn't give back benefits. She said that, with respect to attracting new staff and keeping existing staff, pay was not the only factor for providing stability. She said one of her former clients had worked for the Kensington Police Department for a short time. She said that this individual was a retired police officer from a large city and that this individual had been bored in Kensington and had not liked management. She added that, at the time, she hadn't known what the officer had meant; management had been GM/COP Harman. She said the MOU didn't help Kensington fiscally. She said the department was not of the type or quality she wanted to have serve and protect her. She said she needed protecting from the police department.

Rick Artis said that he agreed with things that had been said by Ms. Tapscott and Ms. Feldman and that he felt very strongly that the agreement should be supported. He said he hoped the Board would vote soon and vote in the affirmative.

Barbara Steinberg said that the community paid the police to protect it and that she thought the officers were doing a very good job. She said the officers protected in every sense of the word, including community service. She asked the Board to support the MOU.

Vice President Sherris-Watt thanked Mr. Holtzman and Mr. Benson for their work on the contract and said she admired their work. She said there were many positives about the contract for Kensington taxpayers. She noted there had been progress made on healthcare and the PERS percentage rate. She said she wanted to address some concerns. She said she found comparisons of neighboring agencies difficult because, until the Community Center was turned into a mini-mall, the community didn't have a tax base; the community relied on property taxes. She said people had mentioned to her the worry of living without a contract. She said that she believed she was the only Board member who knew what it was like to live, as a family, without a contract and that she was currently doing so because her husband's contract had expired on April 1<sup>st</sup>. She said this was the third time in eighteen years that she and her family had had to do so. She said that it was difficult but manageable for a family to live without a contract. She said that financial projections had been dismissed. She said she believed there were systemic problems with the District's financial oversight. She said she agreed with the writer Byron Whitmore, that a budget is essentially a moral document. She added that the MOU was a budget – the largest part of the District's budget. She said that she had attended the Finance Committee meeting of the prior week and that she had found more of the same; when a detailed five year projection had been sought to support the sustainability of the MOU, it had been dismissed. She said it was immoral to her to approve a contract for which she didn't have adequate documentation that the community could sustain the contract for its duration. She said that was why she would vote no.

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**MOTION: Director Gillette moved, and President Welsh seconded, that the Board approve the MOU as presented.**

**Motion passed 3 – 2.**

**AYES: Welsh, Gillette, Toombs      NOES: Sherris-Watt, Cordova      ABSENT:**

Director Gillette thanked everyone for being respectful of her time; she needed to be in Chicago the following day and would be taking the "red-eye" there later in the evening.

President Welsh announced that there would be a five-minute break. Director Gillette left the meeting. The meeting resumed with the remaining four Directors at 9:40 P.M. President Welsh said he was not feeling well and that, if the meeting went past 10:00 P.M., he would ask Vice President Sherris-Watt to take over running the meeting.

- 8d. The Board received a report from Director Cordova regarding the possible reappointment of Mr. Mike McGill to a regular Special District LAFCO seat April 18, 2016.

Director Cordova provided the Board with information for its consideration. She said the item was about the reappointment of Mike McGill. She reported that Mike McGill was one of two special district representatives on the Local Agency Formation Commission (LAFCO) for Contra Costa County. She said Mr. McGill was a board member of the Central Contra Costa Sanitation District, had been elected in 2006, was up for reappointment unopposed, had been nominated by 17 other districts, and served with CSDA. She said she was not advocating for Mr. McGill. President Welsh asked if it would create a problem for LAFCO if the Board didn't vote on Mr. McGill that evening. Director Cordova responded that the LAFCO vote would take place on Monday. She said LAFCO consisted of two city representatives, two special district representatives, two members of the Board of Supervisors, and a member of the public. She said that the commission needed a quorum of 23 delegates and that KPPCSD was a delegate. She said that, if the Board members didn't give her a vote, she would render one for them. She said that, when she had been running for the Board, she had contacted Mike McGill to ask him what some of the pressing matters were. She added that she had crossed his path at LAFCO and at the CSDA conference. Vice-President Sherris-Watt said that she had met Mr. McGill and that she supported his reappointment to LAFCO.

**MOTION: Director Cordova moved, and Director Toombs seconded, that the Board reappoint Michael McGill to the Local Agency Formation Commission of Contra Costa County and that the Board authorize Director Cordova, as the LAFCO delegate, to tender that vote on the coming Monday at the convening of LAFCO delegates at the Central Contra Costa County Sanitation District meeting.**

**Motion passed 5 – 0.**

**AYES: Welsh, Toombs, Sherris-Watt, Cordova      NOES: 0      ABSENT: Gillette**

Director Cordova noted it was 9:45 P.M. President Welsh asked if there was a motion to extend the meeting past 10:00 P.M.

**MOTION: Director Toombs moved, and President Welsh seconded that the meeting be extended past 10:00 P.M., until the Board was done with the agenda.**

**Motion failed 2 – 2.**

**AYES: Welsh, Toombs      NOES: Sherris-Watt, Cordova      ABSENT: Gillette**

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7a. Update from Ad Hoc Committee on Governance

David Spath reported that the Ad Hoc Committee would be conducting an online survey about what the community wants in the way of police services. He said that, as part of that survey, the Committee wanted to know about the kinds of experiences the community had had with officers. He said that he wanted to alert the community about the survey by sending out a postcard to all residents and that the estimated cost for this was \$1,250. He said the work would be done by Mailstream, the same company that had done work on Measure L. He said Mailstream would print and mail the postcards. Dr. Spath said the survey would be done through Survey Monkey, which would compile the survey results. He said that the questions had already been prepared and vetted by the Committee and that the Committee had taken public comment on the survey questions. He said that, for people who didn't have access to a computer, the survey could be completed by using a computer at the library. He said the goal was to determine what services residents felt were most important so that the Committee could inform the Board about what residents thought police services should look like going into the future. He said the Committee would make arrangements for residents who would like to complete the survey as a printed version.

Vice President Sherris-Watt asked if there would be a control that would limit one survey per person. Dr. Spath said the Committee had not taken the step to ensure that there would be one survey per person. He added that the Committee would be trusting the honesty and integrity of the residents.

Lisa Coronna said the survey was not a scientific one; it was meant to get a sense of where people were coming from: The Committee was looking for information from each person in a home. She said it was meant to be user-friendly and to take about five minutes to complete.

Director Cordova asked if, when the Committee used the data to shape its presentation, the Committee would say the information was statistically unreliable.

Garen Corbett said the survey was meant to be an attempt to reach the broader community and to get a broader sense.

Rob Firmin said that, as a professionally trained statistician, he thought it was a great idea to conduct the survey but that it should be clearly and publically stated that the survey was meant to glean impressions, was not statistically representative, and could be biased.

The Board indicated that it wanted the Committee to proceed with sending out the postcard and wanted the Committee to work with IGM/COP Hart to ensure that the funds needed would be allocated for the printing and mailing of the postcards.

**MOTION: Vice President Sherris-Watt moved, and President Welsh seconded, that the Board adjourn the April 14, 2016 meeting of the KPPCSD.  
Motion Passed 4 – 0.**

**AYES: Welsh, Toombs, Sherris-Watt, Cordova      NOES: 0      ABSENT: Gillette**

The meeting was adjourned at 10:00 P.M.

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Len Welsh  
KPPCSD Board President

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Lynn Wolter  
District Administrator



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## **Meeting Minutes for 4/27/16**

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Wednesday, April 27, 2016, at **6:00 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California.

### **ATTENDEES**

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddle, Renne Sloan
Rachelle Sherris-Watt, Vice President	Linda Lipscomb
Patricia Gillette, Director	Barbara Steinberg
Chuck Toombs, Director	Andrew Gutierrez
Vanessa Cordova, Director	Mabry Benson
	John Gaccione
<u>Staff Members</u>	
Lynn Wolter, District Administrator	
<u>Press</u>	

President Welsh called the meeting to order at 6:01 P.M. and took roll call. President Welsh, Vice President Sherris-Watt, Director Gillette, Director Toombs, Director Cordova, and District Administrator Wolter were present.

### **PUBLIC COMMENTS**

Linda Lipscomb said she urged the Directors to enter into at least a two-year agreement with IGM/COP Hart. She said that neither IGM/COP Hart nor the community deserved the instability that they'd had since they'd had serial interim agreements with IGM/COP Hart. She said IGM/COP Hart was a gentleman and a consummate professional – both in his attire and in his manner. She said that she had never heard him raise his voice, that he always came in and took control of the situation, and that he always presented the image that Kensingtonians like to see. She said he projects the kind of image that most Kensingtonians believe should be reposed in their GM/COP. She noted that he attends most K-group functions in order to do community outreach. She said that he contributes to the stability of the police force, which, she said, is the backbone of Kensington's government and contributes far more service than police service. She noted that the police department delivers many social services. She said that IGM/COP Hart understands the issues the community has right now, including litigation and investigations. She said there would be a huge waste of public resources – in time, money, and community energy – if the District had to start all over with a new GM/COP. She noted that the position of GM/COP should not be like a carousel that would project a sense of instability, which the community

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had not had, except in the last few years. She said that this was very disturbing to most of her neighbors and that she read this in some of the letters she'd seen. She said people want stability. She asked the Board to ask IGM/COP Hart to sign a new genuine GM/COP two-year agreement. She said it should not be a renewal of an interim agreement. She concluded by thanking the Board for its service.

Barbara Steinberg said she wanted to add to what Ms. Lipscomb had said. She said her impressions of IGM/COP Hart were that he was always available and that she could drop in to see him. She said she agreed that a two-year agreement would be excellent. She said she also wanted to speak to items 4 and 5. She said she really believed that the charges regarding the October 7<sup>th</sup> traffic stop were of such a nature that the community needed to hear a report of it. She said that, if the report were not to be released, it would undermine the trust of the police department, which, she said, would be terrible. She said she pleaded with the Board that the results of the investigation be made public.

Andrew Gutierrez said he wasn't there to criticize IGM/COP Hart. He said it should be recognized that having the combined position had caused conflict, pain, and confusion in the past. He said it meant that the person occupying the position had to be a saint and be able to separate out the two conflicting positions when something arises. He said the IGM/COP could hide under the policeman's bill of rights or he could be the GM. He said the District had a committee that was looking at, among other things, whether the community should outsource its police. He said that, even to consider having an extended agreement with IGM/COP Hart, would not be wise until the District had received the recommendations of that committee. He said IGM/COP Hart should continue on "temporary," if he wished. He said that, if not, somebody else could be appointed GM/COP and handle the business of the village. He said that, since he had been here – nearly 30 years – the police force has not been the backbone of the community; it has been the source of conflict, scandal, and dissension in the community. He said that the community paid top dollar, that it should expect to have a high quality police force, and that it did not have that now. He concluded by saying the District should decide in which direction it was going to go and then decide whether or not to retain IGM/COP Hart.

Mabry Benson said there were several reasons why IGM/COP Hart's contract should not be renewed. She said that, as GM, there had been several instances where the agendas had not been posted in a timely manner. She said the latest Finance Committee agendas were one example. President Welsh said that had been his own mistake. Ms. Benson responded that IGM/COP Hart should have caught it. President Welsh responded that IGM/COP Hart hadn't wanted to do it and that he, President Welsh, had pressed him, IGM/COP Hart, to do it. She said the Finance Committee posting had not been listed under "Latest News." She said the GM should be on top of it. She said that, shortly after the last Board meeting, at which license plate readers had been postponed, IGM/COP Hart had posted a policy on the matter, even though public discussion had been required, and he had given no reason or explanation for the posting – until there had been an outcry. She said that, as a COP, IGM/COP Hart had not been able to solve the problem of officers who behave in a totally inappropriate manner. She said IGM/COP Hart had allowed Officer Ramos to continue as a Field Training Officer after he was under an internal investigation, which she said was not appropriate in the police world. She said that, alone, showed poor leadership. She said there were conflicts between IGM/COP Hart acting as both Police Chief and General Manager, which pointed to the need to separate the two positions. She said a GM would oversee a budget that would ask the police to live within the community's means; instead, there was a COP who asked for more toys – new cars, new license plate readers, and new body cameras. She said he had asked for a budget for new guns and then used the money he had already allotted. She said Jim Watt had already alerted the Board to the fact that the District may need to spend significant funds for the public safety building. She said that this was not the time to spend more money and that a GM would point that out. She said that this was the first time she had heard that there was a two-year contract in the works and that this was not on the agenda. Director Gillette responded that a two-year contract was not on the agenda – that idea had been a public comment. Ms. Benson said that, on lots of issues, the Board has said to wait for the Ad Hoc Committee's reports and that the Board should be waiting before making a permanent position. She said that, because she didn't think the current person was working, the Board had a chance to try a separate GM, whether the Board hired a separate COP or let Sergeant Turner manage that. She said Public Law Group could get temporary candidates.

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John Gaccione said that what is needed is a rebuilding of trust, with regard to the police force, and greater transparency in governance. He asked why the IGM/COP was engaging in actions that undermined both. He said one could only conclude that he was tone-deaf to Kensington's important issues. He said that an example was the "weasily" way the ALPR boilerplate language had been slipped into the policy manual and then inserted into the budget, under the heading "Police Traffic Equipment." He said he suggested that the IGM/COP get a dictionary to look up the word "transparency." He noted that this might be the way things were done in Dublin but that it didn't pass muster in Kensington. He said he was sure he was going to hear that this had been some sort of misunderstanding with scheduling and legal requirements. He said there was a failure to understand how deep the level of mistrust was. He said this also failed to understand the financial implications of the traffic equipment item. He said that, if Kensington were to have a separate GM and COP, the GM would be instructing the COP to manage the department's budget and stop letting the KPOA run the department; the GM would be handling the personnel issues, thus avoiding the very expensive legal costs Kensington has experienced; and there would be a checks and balances helping to prevent the continuing series of fiascos seen now. He said the Board needed to face up to its responsibilities and provide management. He said, based on the issues to be discussed during the Closed Session, it seemed the Board had much room for improvement. He said he opposed the approval of a contract with IGM/COP Hart for the position of IGM/COP because, during his time in Kensington, he had shown he was not qualified for either position – never mind the combined position and the over-rich benefits packaged.

#### **BOARD MEMBER COMMENTS**

Director Cordova said she wanted to speak because she would be recusing herself from items 4 and 5. She said she was going to read a statement. She reiterated that she would be recusing herself from items 4 and 5 and said she wanted to take the opportunity to make public comment for the Board's consideration. She said that, recently, a longtime resident had dropped her a note in which the resident had generously compared Director Cordova to the god Sisyphus; rolling the boulder uphill, sometimes high enough to see the horizon, only to have it roll back down again. Director Cordova said that, like herself, Sisyphus had grown up devoutly Catholic and had been educated in the Ignatius spirituality of the Jesuits. She said he had proposed a Jesuit notion that captured her sentiments about this unfortunate situation succinctly: He wrote, "The purpose of an elected official is to conquer the weaknesses in oneself and to regulate one's work in such a way that no decision is made under the influence of any inordinate attachment to the spoils of hubris." She said that she was sharing this because many had asked what victory looked like to her and that she didn't quite know how to answer because, for some on both sides of the aisle, discipline was beginning to smell like vengeance, not justice. She said that, while she understood the feelings that informed that sentiment, vengeance was an investment with little spiritual return for her. She said she had better ways to spend her emotional bandwidth – taking care of a dying parent being one of them. She said she had always believed the traffic stop was just another symptom of a longstanding unregulated dysfunction within the District. She said it was one of the reasons she had never commented on the level of discipline that was administered and asked how would she know when the professional standards institutionalized within the department were as woefully low as the community's expectations that the Board would finally feel compelled to address them. She said that it wasn't until she had been pulled over that she fully understood the frustration of the more vocal critics within the community – the ones who bravely expose the penchant for political kabuki; the ones whom the Board is beholden to promise that bad cops are still better than contracting with out of town cops. She said that her Board colleagues are fundamentally good people, so she wondered why she was routinely dismissed as an interloper, a "crazy," a crony, a troublemaker, and sometimes worse and often by members of the Board and their political supporters. She said that, as she was slowly learning, it seems like every few weeks Kensington loved to have a new villain. She said that when she sat on the dais and looked out on both sides of the aisle it reminded her of her wedding day – her people here and his there – and she gets a sinking feeling that this is never going to work. But, she said, the fear of that was not enough for her to give up her position or to cower in the face of criticism. So, she said, she was rolling the boulder uphill – not because she believed she had the power to make any meaningful change but because she believed the Board, as a whole, did. She said that it might not happen that night or during her term but that she did believe that the police department could be reformed by leaders who recognized the opportunity to do so.

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Director Cordova said this brought her to the issue of the IA. She said that, even if she weren't standing before the Board as the complainant, her opinion would be the same: When it comes to addressing the allegations of police misconduct, there was no halfway. She said it had to be an all or nothing proposition. She said few, including herself, would accept a document that had been cherry-picked and published in part and with an irrefutable bias that unfairly implicated the Board in politicking from the dais. She said that, if the Board was truly committed to releasing the IA, she implored them to consider releasing the entire package: that would mean un-redacted witness testimony; audio recordings; transcripts; and all related documents from every witness interviewed. She said this would allow residents to learn who was interviewed and what investigators asked. She added that this would allow her, the complainant, to request more witnesses be interviewed, like the Ensenada residents – an opportunity afforded to her by Chief Hart in writing. She said that, if every witness had told the truth under oath, there should be little concern about whether their statements could withstand legal scrutiny by herself or any other interested parties. She said releasing the information from only a few witnesses or from only a few police officers or from those the District deems relevant would not only raise more claims of prejudice, it would further damage public confidence, which would be a grave disservice to everyone. She thanked the Board for its consideration and for its service.

Director Gillette asked Director Cordova if, to the extent she had any privacy right in the internal investigation report, she was releasing any right to privacy and if she had no objection to the release of the report. Director Cordova responded that she was not stating that and that, as she had told Randy and John, they could speak to Director Cordova's attorney about that. Director Cordova added that privacy was something that was only afforded to police officers under the police officers' bill of rights. Director Gillette responded that what Director Cordova had said wasn't clear and asked if Director Cordova wanted the report released and wanted to release her rights. Director Cordova responded that she had no rights. President Welsh asked if he could pose the question in a different way because he wanted to be clear. Director Cordova responded that she was represented by counsel. The District's legal counsel said this was fine. President Welsh responded, "fair enough."

Barbara Steinberg asked the Board to repeat what had just happened, as Director Gillette had just asked if the report would be released. Ms. Steinberg asked what Director Cordova's response had been. Director Toombs asked that the conversation come to an end because it was a confidential matter for all concerned.

Linda Lispcomb said that Director Cordova had said to talk to her lawyer. Director Cordova responded that she had not said that and added that she had no rights afforded by POBAR. Director Cordova said she had no rights to waive.

President Welsh announced that the Board was going into Closed Session.

The Board entered into Closed Session at 6:22 P.M.

#### Closed Session Agenda

3. Public employee appointment (Government Code section 54957(b)) Title: Interim General Manager/Police Chief.
4. Conference with legal counsel – anticipated litigation: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) Section 54956.9: (12 potential cases).
5. Public employee discipline/dismissal/release

The Board entered into Open Session at 7:47 P.M.

President Welsh reported that all items had been discussed and that no action had been taken.



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**MOTION: Director Gillette moved, and President Welsh seconded, that the meeting be adjourned.**

**Motion passed: 5 – 0.**

**AYES: Welsh, Toombs, Gillette, Cordova, Sherris-Watt    NOES: 0    ABSENT:**

The meeting was adjourned at 7:48 P.M.

After the meeting had concluded, District legal counsel, Randy Riddle, asked that the record reflect that Director Cordova had recused herself from Closed Session items 4 and 5.

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Len Welsh  
KPPCSD Board President

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Lynn Wolter  
District Administrator

# Unaudited Profit & Loss Budget Performance

April 2016

Ordinary Income/Expense	Apr 16	Budget	Jul '15 - Apr 16	YTD Budget	Annual Budget
<b>Income</b>					
400 · Police Activities Revenue					
401 · Levy Tax	0.00	0.00	1,534,484.02	1,527,750.00	1,527,750.00
402 · Special Tax-Police	0.00	0.00	681,690.00	680,000.00	680,000.00
403 · Misc Tax-Police	0.00	0.00	0.00	0.00	0.00
404 · Measure G Supplemental Tax Rev	0.00	0.00	514,175.88	514,177.50	514,177.50
409 · Asset seizure forfeit/WEST NET	0.00	0.00	18,525.71		
410 · Police Fees/Service Charges	350.00	125.00	2,155.00	1,250.00	1,500.00
411 · Kensington Hilltop Srvc Reimb	4,725.00	0.00	23,625.00	14,175.00	18,900.00
412 · Special Assignment Revenue	0.00	0.00	11,912.79	0.00	0.00
413 · West County Crossing Guard Reim	3,505.00	0.00	7,010.00	7,220.00	10,830.00
414 · POST Reimbursement	772.45	0.00	3,099.50	0.00	0.00
415 · Grants-Police	12,122.02	0.00	70,788.70	0.00	0.00
416 · Interest-Police	0.00	400.00	997.65	1,200.00	1,600.00
418 · Misc Police Income	1,570.01	1,666.66	9,814.43	16,666.68	20,000.00
419 · Supplemental W/C Reimb (4850)	0.00	0.00	29,354.06	17,194.24	17,194.24
<b>Total 400 · Police Activities Revenue</b>	<b>23,044.48</b>	<b>2,191.66</b>	<b>2,907,632.74</b>	<b>2,779,633.42</b>	<b>2,791,951.74</b>
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L	0.00	0.00	35,190.86	33,000.00	33,000.00
427 · Community Center Revenue	2,227.50	600.00	26,900.50	24,900.00	33,000.00
435 · Grants-Park/Rec	0.00	0.00	0.00	5,000.00	5,000.00
438 · Misc Park/Rec Rev	40.00	50.00	200.00	450.00	500.00
<b>Total 420 · Park/Rec Activities Revenue</b>	<b>2,267.50</b>	<b>650.00</b>	<b>62,291.36</b>	<b>63,350.00</b>	<b>71,500.00</b>
440 · District Activities Revenue					
448 · Franchise Fees	2,784.88	0.00	68,363.12	32,533.34	48,800.00
456 · Interest-District	0.00	0.00	-32.44	0.00	0.00
458 · Misc District Revenue	0.00	0.00	1,976.00	0.00	0.00
<b>Total 440 · District Activities Revenue</b>	<b>2,784.88</b>	<b>0.00</b>	<b>70,306.68</b>	<b>32,533.34</b>	<b>48,800.00</b>
<b>Total Income</b>	<b>28,096.86</b>	<b>2,841.66</b>	<b>3,040,230.78</b>	<b>2,875,516.76</b>	<b>2,912,251.74</b>

YTD Total Income is \$164,700 greater than the amount budgeted YTD

This difference is comprised primarily by the District having received \$70,800 in COPS Grants; \$35,830 more in Franchise Fees; \$18,525 in Asset Forfeiture Funds; \$12,160 more in Supplemental Workers' Comp; \$1,900 in Special Assignment Revenue; and \$9,450 more in Hilltop Services.

24

KPPCSD  
Unaudited Profit & Loss Budget Performance  
April 2016

Expense	Apr 16	Budget	Jul '15 - Apr 16	YTD Budget	Annual Budget
500 · Police Sal & Ben	93,764.05	81,702.84	780,484.07	817,028.32	980,434.00
502 · Salary - Officers	0.00	0.00	26,947.26	17,100.00	20,000.00
504 · Compensated Absences	10,191.02	5,000.00	73,690.22	50,000.00	60,000.00
506 · Overtime	8,429.25	6,825.00	84,257.36	68,250.00	81,900.00
508 · Salary - Non-Sworn	599.94	850.00	6,477.76	8,500.00	10,200.00
516 · Uniform Allowance	0.00	0.00	445.96	250.00	3,250.00
518 · Safety Equipment	17,146.24	12,496.34	148,186.69	124,963.32	149,956.00
521-A · Medical/Vision/Dental-Active	13,736.47	13,957.84	148,345.15	139,578.32	167,494.00
521-R · Medical/Vision/Dental-Retired	0.00	0.00	0.00	31,642.00	31,642.00
521-T · Medical/Vision/Dental-Trust	220.50	245.00	3,749.50	4,455.00	5,240.00
522 · Insurance - Police	1,651.33	1,389.00	13,463.17	13,890.00	16,668.00
523 · Social Security/Medicare	558.35	423.16	5,298.37	4,231.68	5,078.00
524 · Social Security - District	14,598.58	32,285.09	338,793.48	322,850.82	387,421.00
527 · PERS - District Portion	4,134.13	7,032.25	60,831.95	70,322.50	84,387.00
528 · PERS - Officers Portion	0.00	0.00	43,966.71	50,000.00	50,000.00
530 · Workers Comp	165,029.86	162,206.52	1,734,937.65	1,723,061.96	2,053,670.00
<b>Total 500 · Police Sal &amp; Ben</b>					

Accounts 502 – Police Salaries, 504 – Compensated Absences, and 506 - Overtime YTD, Accounts 502, 504 and 506, combined, are \$2,685 less than the total amount budgeted YTD for these three accounts. This reflects changes, including those that were retro-active, made per the MOU adopted by the Board at its April meeting.

Accounts 508 & 601 Non-Sworn and Park & Rec. For April and for the past few months, non-sworn staff has been assigned more tasks, in part, because one officer was out and two officers have been on light duty. Thus, hourly wages, YTD, for these two accounts are approx. \$16,200 more than the amount budgeted YTD for these two accounts.

Account 521 A&R Medical/Vision/Dental CalPERS medical premiums for the following month are due on the 10<sup>th</sup> of the month. Thus, in part, the YTD amount is \$32,000 greater than the YTD budgeted amount.

Account 527 & 528 – PERS District Portion The District prepaid the \$197,471 annual Unfunded Accrued Liability amount due to CalPERS, which saved the District \$7,300. This lump sum payment is reflected in the YTD amount, which is greater than the YTD budgeted amount for A/C 527. IGM/COP Hart, the PD's new PEPPA employee, and (with the adoption of the MOU at the Board's April meeting) the officers contribute to their own pensions. Therefore, the monthly reduction of \$20,600 in these two accounts combined, should result in a reduction for the year of about \$41,200 for the year.

25

KPPCSD  
Unaudited Profit & Loss Budget Performance  
April 2016

	Apr 16	Budget	Jul '15 - Apr 16	YTD Budget	Annual Budget
<b>550 · Other Police Expenses</b>					
552 · Expendable Police Supplies	19.38	141.66	1,612.00	1,416.68	1,700.00
553 · Range/Ammunition Supplies	0.00	0.00	2,450.30	3,000.00	5,000.00
560 · Crossing Guard	902.48	1,500.00	8,362.97	8,400.00	10,830.00
562 · Vehicle Operation	4,183.54	1,800.00	16,191.23	45,200.00	50,000.00
564 · Communications (RPD)	8,177.96	0.00	88,561.66	117,052.50	156,070.00
566 · Radio Maintenance	181.69	180.00	1,635.24	21,440.00	21,750.00
568 · Prisoner/Case Exp./Booking	5,000.00	0.00	12,574.03	5,500.00	6,400.00
570 · Training	635.88	800.00	7,674.61	8,300.00	10,000.00
572 · Recruiting	0.00	541.66	4,290.53	5,416.68	6,500.00
574 · Reserve Officers	0.00	337.50	221.50	3,375.00	4,050.00
576 · Misc. Dues, Meals & Travel	775.00	0.00	2,710.00	3,100.00	3,140.00
580 · Utilities - Police	1,574.05	1,000.00	9,132.52	8,400.00	10,000.00
581 · Bldg Repairs/Maint.	0.00	416.66	4,676.24	4,166.68	5,000.00
582 · Expendable Office Supplies	477.24	500.00	5,207.69	5,000.00	6,000.00
588 · Telephone(+Rich. Line)	407.59	1,000.00	5,086.72	7,200.00	8,904.00
590 · Housekeeping	291.72	333.34	3,864.60	3,333.32	4,000.00
592 · Publications	0.00	50.00	2,579.91	2,400.00	2,500.00
594 · Community Policing	45.00	200.00	5,218.94	3,350.00	4,000.00
596 · WEST-NET/CAL I.D.	0.00	0.00	5,508.00	5,925.00	5,925.00
599 · Police Taxes Administration	0.00	900.00	3,488.68	3,500.00	3,500.00
<b>Total 550 · Other Police Expenses</b>	<b>22,671.53</b>	<b>9,700.82</b>	<b>191,047.37</b>	<b>265,475.86</b>	<b>325,269.00</b>

Account 562 – Vehicle Operation

YTD expenses are almost \$29,000 less than the YTD budgeted amount. This is due, in part, to relatively low gas prices.

Account 566 Radio Maintenance

An annual payment of about \$20,000 for Motorola radio was budgeted. Following March's report, staff reviewed the Motorola Agreement and ascertained that it was a lease/purchase agreement. The last payment was made in FY 14/15. No payment will be due this FY.

Account 594 Community Policing

The YTD amount is about \$2,200 greater than the amount budgeted for the year. This is due, in part, to additional work done on the website.



KPPCSD  
Unaudited Profit & Loss Budget Performance  
April 2016

	Apr 16	Budget	Jul '15 - Apr 16	YTD Budget	Annual Budget
<b>600 · Park/Rec Sal &amp; Ben</b>					
601 · Park & Rec Administrator	576.30	650.00	6,696.30	6,500.00	7,800.00
602 · Custodian	1,750.00	1,900.00	17,500.00	19,000.00	22,750.00
623 · Social Security/Medicare - Dist	0.00	49.75	420.47	497.50	597.00
<b>Total 600 · Park/Rec Sal &amp; Ben</b>	<b>2,326.30</b>	<b>2,599.75</b>	<b>24,616.77</b>	<b>25,997.50</b>	<b>31,147.00</b>
<b>635 · Park/Recreation Expenses</b>					
640 · Community Center Expenses					
642 · Utilities-Community Center	512.99	430.00	4,390.08	4,410.00	5,616.00
643 · Janitorial Supplies	0.00	0.00	1,241.17	800.00	800.00
646 · Community Center Repairs	1,399.91	250.00	3,370.45	2,500.00	3,000.00
<b>Total 640 · Community Center Expenses</b>	<b>1,912.90</b>	<b>680.00</b>	<b>9,001.70</b>	<b>7,710.00</b>	<b>9,416.00</b>
<b>660 · Annex Expenses</b>					
666 · Annex Repairs	0.00	83.34	0.00	833.32	1,000.00
668 · Misc Annex Expenses	0.00	83.34	0.00	833.32	1,000.00
<b>Total 660 · Annex Expenses</b>	<b>0.00</b>	<b>166.68</b>	<b>0.00</b>	<b>1,666.64</b>	<b>2,000.00</b>
<b>670 · Gardening Supplies</b>	<b>0.00</b>	<b>83.34</b>	<b>0.00</b>	<b>833.32</b>	<b>1,000.00</b>
<b>672 · Kensington Park O&amp;M</b>	<b>6,695.00</b>	<b>6,525.00</b>	<b>43,421.15</b>	<b>65,250.00</b>	<b>78,300.00</b>
<b>674 · Park Construction Exp</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>5,000.00</b>
<b>678 · Misc Park/Rec Expense</b>	<b>0.00</b>	<b>83.34</b>	<b>170.00</b>	<b>833.32</b>	<b>1,000.00</b>
<b>Total 635 · Park/Recreation Expenses</b>	<b>8,607.90</b>	<b>7,538.36</b>	<b>52,592.85</b>	<b>81,293.28</b>	<b>96,716.00</b>

Account 672 Kensington Park O&M

The YTD amount is approx. \$22,000 less than the amount budgeted YTD.

# KPPCSD Unaudited Profit & Loss Budget Performance

April 2016

	Apr 16	Budget	Jul '15 - Apr 16	YTD Budget	Annual Budget
<b>800 · District Expenses</b>					
810 · Computer Maintenance	1,089.00	1,300.00	19,094.77	19,588.00	24,288.00
820 · Cannon Copier Contract	387.38	400.00	3,918.25	4,700.00	5,700.00
830 · Legal (District/Personnel)	0.00	8,300.00	93,508.14	83,000.00	99,530.00
835 · Consulting	0.00	0.00	25,900.04	10,000.00	15,000.00
840 · Accounting	3,675.00	5,000.00	36,056.34	23,000.00	34,000.00
850 · Insurance	-122.80	0.00	27,357.99	30,000.00	30,000.00
860 · Election	0.00	0.00	0.00	0.00	0.00
865 · Police Bldg. Lease	0.00	0.00	1.00	1.00	1.00
870 · County Expenditures	0.00	102.00	21,478.54	22,250.00	22,300.00
890 · Waste/Recycle	0.00	0.00	259.74	24,000.00	25,000.00
898 · Misc. Expenses	37.45	1,275.00	14,909.78	12,750.00	15,300.00
899 · Depreciation Expense	0.00	0.00	0.00	0.00	0.00
<b>Total 800 · District Expenses</b>	<b>5,066.03</b>	<b>16,377.00</b>	<b>242,484.59</b>	<b>229,289.00</b>	<b>271,119.00</b>

**Account 830 – Legal**

In February, the District paid Public Law Group's January invoice. This brought the YTD amount to \$93,500. This amount is approx. \$27,000 more than YTD budgeted amount. The amount budgeted for the year is \$99,530. The February invoices from PLG were received April and should, therefore, be reflected in next month's reports.

**Account 835 Consulting**

The YTD amount exceeds the amount budgeted YTD by \$16,000. Most of this is for Adam Benson's analyses.

**Account 840 Accounting**

The YTD amount exceeds the YTD budgeted amount by \$13,100. Review of the detail for this account revealed that approx. \$25,300 has been paid to CPA Deborah Russell YTD. This amount exceeds was budgeted for her work for the full fiscal year. This is due, in large part, to the additional financial analyses Ms. Russell has been asked to do for the Board and for the Finance Committee.

**Account 890 Waste/Recycling**

The YTD amount is \$23,700 less than the amount budgeted YTD.

**Account 898 Miscellaneous Expenses**

The YTD amount exceeds the YTD budgeted amount by about \$2,100. This reflects that three District members attended the CSDA conference in Monterey at a cost of approximately \$4,000.

28

# KPPCSD Unaudited Profit & Loss Budget Performance

April 2016

	Apr 16	Budget	Jul '15 - Apr 16	YTD Budget	Annual Budget
<b>950 · Capital Outlay</b>					
962 · Patrol Cars	0.00	0.00	27,533.48	30,000.00	30,000.00
963 · Patrol Car Accessories	0.00	0.00	0.00	3,000.00	3,000.00
965 · Personal Police Equipment-Asset	0.00	0.00	0.00	10,000.00	10,000.00
967 · Station Equipment	0.00	8,017.29	7,000.00	7,000.00	7,000.00
968 · Office Furn/Equip	0.00	0.00	6,000.00	6,000.00	6,000.00
972 · Park Buildings Improvement	0.00	2,100.00	13,931.04	20,800.00	25,000.00
<b>Total 950 · Capital Outlay</b>	<b>0.00</b>	<b>2,100.00</b>	<b>49,481.81</b>	<b>76,800.00</b>	<b>81,000.00</b>
<b>Total Expense</b>	<b>203,701.62</b>	<b>200,522.45</b>	<b>2,295,161.04</b>	<b>2,401,917.60</b>	<b>2,858,921.00</b>
<b>Net Ordinary Income</b>	<b>-175,604.76</b>	<b>-197,680.79</b>	<b>745,069.74</b>	<b>473,599.16</b>	<b>53,330.74</b>
<b>Other Income/Expense</b>					
<b>Other Expense</b>					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-177,746.56	0.00	0.00
710 · Bond Admin.	0.00	0.00	11,435.41	0.00	0.00
715 · Bond Interest Income	0.00	0.00	-161.73	0.00	0.00
720 · Bond Principal	0.00	0.00	125,718.06	0.00	0.00
730 · Bond Interest	0.00	0.00	33,313.29	0.00	0.00
<b>Total 700 · Bond Issue Expenses</b>	<b>0.00</b>	<b>0.00</b>	<b>-7,441.53</b>	<b>0.00</b>	<b>0.00</b>
995 · Loss/(Gain) - Asset Disposition	0.00	0.00	0.00	0.00	0.00
<b>Total Other Expense</b>	<b>0.00</b>	<b>0.00</b>	<b>-7,441.53</b>	<b>0.00</b>	<b>0.00</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>0.00</b>	<b>7,441.53</b>	<b>0.00</b>	<b>0.00</b>
<b>Net Income</b>	<b>-175,604.76</b>	<b>-197,680.79</b>	<b>752,511.27</b>	<b>473,599.16</b>	<b>53,330.74</b>

Accounts 962 & 963 Patrol Cars and Accessories

The Chief's car has been ordered, and the invoice for the car has been paid. The accessories are being installed and the invoice should be received within the next few weeks. These lines, combined, should come in under budget.

Account 965 Personal Police Equipment

At last month's meeting the Board approved increasing this line item from \$10,000 to \$28,000 (see Asset Forfeiture Funds A/C 409 for offsetting revenue) and approved the purchase of bullet proof vest. New vests have been ordered. The weapons have been budgeted at \$10,000, but they have not been ordered yet.

Account 967 - Station Equipment

A new phone system has been installed. The total was about \$8,000. The annual amount will exceed the budgeted amount by about \$1,000.

Account 968 - Office Furn/Equip

A new microphone system has been budgeted but not yet purchased.

Bottom line: YTD Net Income exceeds the YTD budgeted amount by about \$279,000.

29

KPPCCSD

Transaction Detail By Account

July 2015 through April 2016

Date	Num	Name	Memo	Split	Amount
<b>420 · Park/Rec Activities Revenue</b>					
<b>424 · Special Tax-L&amp;L</b>					
10/01/2015	JV07...	CCC Taxes-LLD	SP ASSESS ...	146 · Advance...	35,190.86
Total 424 · Special Tax-L&L					35,190.86
<b>427 · Community Center Revenue</b>					
07/16/2015	1189		CC Rental 6-...	112 · General ...	412.50
07/16/2015	4434		CC Rental 7-...	112 · General ...	300.00
07/16/2015	1350		CC Rental 7-...	112 · General ...	450.00
07/16/2015	1393		CC Rental 7-...	112 · General ...	300.00
07/16/2015	1036		CC Rental 7-...	112 · General ...	600.00
07/16/2015	006		Alanon Mtg J...	112 · General ...	90.00
08/04/2015	264		CC Rental P...	112 · General ...	700.00
08/04/2015	3751		CC Rental P...	112 · General ...	900.00
09/01/2015	208		CC Rental 8-...	112 · General ...	375.00
09/01/2015	224		CC Rental 8-...	112 · General ...	400.00
09/01/2015	3126		CC Rental 8-...	112 · General ...	375.00
09/01/2015	009		Wake Up to ...	112 · General ...	90.00
10/13/2015	1013		CC Rental 1...	112 · General ...	1,550.00
10/13/2015	1159		East Bay Coll...	112 · General ...	598.00
10/13/2015	10857		CC Rental Fe...	112 · General ...	375.00
10/13/2015	2889		CC Rental Fe...	112 · General ...	300.00
10/30/2015	16724	Micahel Collier	Reimburse...	112 · General ...	-75.00
11/16/2015	13		Wake Up to ...	112 · General ...	90.00
11/16/2015	2263		Michael Colli...	112 · General ...	1,000.00
11/16/2015	712		Kris Luna CC...	112 · General ...	400.00
11/16/2015	1979		Robin Green...	112 · General ...	412.50
11/16/2015	223		George Ferg...	112 · General ...	800.00
12/03/2015	1043		CC Rental P...	112 · General ...	300.00
12/03/2015	5927...		CC Rental P...	112 · General ...	800.00
12/03/2015	3014		CC Renal Py...	112 · General ...	800.00
01/07/2016	8250		KCC first half...	112 · General ...	7,500.00
01/07/2016	727		Rental Fee fo...	112 · General ...	450.00
01/12/2016	4468		CC Rental P...	112 · General ...	800.00

30



Transaction Detail By Account

July 2015 through April 2016

Date	Num	Name	Memo	Split	Amount
02/04/2016	1722		CC Rental 2-...	112 · General ...	550.00
02/04/2016	2139		CC Rental 2-...	112 · General ...	550.00
02/04/2016	2082		CC Rental 3-...	112 · General ...	375.00
02/04/2016	0014		Alanon Mtg R...	112 · General ...	90.00
03/15/2016	16991	Catherine Henderson	Community C...	112 · General ...	-375.00
03/21/2016	1085		CC Rental Fe...	112 · General ...	400.00
03/21/2016	3249		CC Rental Fe...	112 · General ...	300.00
03/21/2016	2008		CC Rental Fe...	112 · General ...	700.00
03/21/2016	2772		CC Rental Fe...	112 · General ...	200.00
03/21/2016	716		CC Rental Fe...	112 · General ...	700.00
03/21/2016	1201		Wake Up To ...	112 · General ...	90.00
04/15/2016	17072	Auction King	Refund for 4/...	112 · General ...	-100.00
04/27/2016	1011		CC Rental 4-...	112 · General ...	900.00
04/27/2016	1277		CC Rental 4-...	112 · General ...	500.00
04/27/2016	767		CC Rental 7-...	112 · General ...	500.00
04/27/2016	674		CC Rental 4-...	112 · General ...	337.50
04/27/2016	1203		Alanon April ...	112 · General ...	90.00
Total 427 · Community Center Revenue					26,900.50
<b>438 · Misc Park/Rec Rev</b>					
08/04/2015	4445		Tennis Court ...	112 · General ...	40.00
11/16/2015	4645		Tennis Court ...	112 · General ...	40.00
01/07/2016	4691		Tennis Court ...	112 · General ...	40.00
03/21/2016	4776		Tennis Court ...	112 · General ...	40.00
04/27/2016	4825		Tennis Court ...	112 · General ...	40.00
Total 438 · Misc Park/Rec Rev					200.00
Total 420 · Park/Rec Activities Revenue					62,291.36
<b>TOTAL</b>					<b>62,291.36</b>

KPPCSD

Transaction Detail By Account

July 2015 through April 2016

Date	Num	Name	Memo	Split	Amount
<b>600 · Park/Rec Sal &amp; Ben</b>					
<b>601 · Park &amp; Rec Administrator</b>					
07/15/2015		Di Napoli, Andrea		112 · General ...	395.10
07/30/2015		Di Napoli, Andrea		112 · General ...	388.20
08/14/2015		Di Napoli, Andrea		112 · General ...	314.10
08/28/2015		Di Napoli, Andrea		112 · General ...	385.80
09/15/2015		Di Napoli, Andrea		112 · General ...	330.90
09/30/2015		Di Napoli, Andrea		112 · General ...	402.60
10/15/2015		Di Napoli, Andrea		112 · General ...	211.50
10/30/2015		Di Napoli, Andrea		112 · General ...	344.70
11/13/2015		Di Napoli, Andrea		112 · General ...	354.30
11/30/2015		Di Napoli, Andrea		112 · General ...	357.60
12/15/2015		Di Napoli, Andrea		112 · General ...	424.50
12/29/2015		Di Napoli, Andrea		112 · General ...	236.70
01/15/2016		Di Napoli, Andrea		112 · General ...	330.00
01/29/2016		Di Napoli, Andrea		112 · General ...	336.90
02/12/2016		Di Napoli, Andrea		112 · General ...	347.10
02/29/2016		Di Napoli, Andrea		112 · General ...	336.30
03/15/2016		Di Napoli, Andrea		112 · General ...	227.40
03/30/2016		Di Napoli, Andrea		112 · General ...	396.30
04/15/2016		Di Napoli, Andrea		112 · General ...	311.70
04/28/2016		Di Napoli, Andrea		112 · General ...	264.60

Total 601 · Park & Rec Administrator 6,696.30

**KPPCSD**  
**Transaction Detail By Account**  
 July 2015 through April 2016

Date	Num	Name	Memo	Split	Amount
<b>602 · Custodian</b>					
07/15/2015	16466	William Driscoll	7/1 - 7/15/15 ...	112 · General ...	875.00
07/30/2015	16503	William Driscoll	7/16 - 7/31/1...	112 · General ...	875.00
08/14/2015	16539	William Driscoll	8/1 - 8/15/15 ...	112 · General ...	875.00
08/28/2015	16576	William Driscoll	8/16 - 8/31/1...	112 · General ...	875.00
09/15/2015	16601	William Driscoll	9/1 - 9/15/15 ...	112 · General ...	875.00
09/30/2015	16642	William Driscoll	9/15 - 9/30/1...	112 · General ...	875.00
10/15/2015	16665	William Driscoll	10/1 - 10/15/...	112 · General ...	875.00
10/30/2015	16697	William Driscoll	10/16 - 10/31...	112 · General ...	875.00
11/13/2015	16761	William Driscoll	11/1 - 11/15/...	112 · General ...	875.00
11/30/2015	16777	William Driscoll	11/16 - 11/30...	112 · General ...	875.00
12/15/2015	16806	William Driscoll	12/1 - 12/15/...	112 · General ...	875.00
12/30/2015	16838	William Driscoll	12/16 - 12/31...	112 · General ...	875.00
01/15/2016	16872	William Driscoll	1/01 - 1/15/1...	112 · General ...	875.00
01/29/2016	16907	William Driscoll	1/16 - 1/31/1...	112 · General ...	875.00
02/12/2016	16938	William Driscoll	2/1 - 2/15/16 ...	112 · General ...	875.00
02/29/2016	16965	William Driscoll	2/16 - 2/29/1...	112 · General ...	875.00
03/15/2016	16988	William Driscoll	3/01 - 3/15/1...	112 · General ...	875.00
03/30/2016	17026	William Driscoll	3/016 - 3/31/...	112 · General ...	875.00
04/15/2016	17052	William Driscoll	4/01/16 - 4/3...	112 · General ...	875.00
04/29/2016	17084	William Driscoll	4/16/16 - 4/3...	112 · General ...	875.00
Total 602 · Custodian					17,500.00
<b>623 · Social Security/Medicare - Dist</b>					
02/29/2016	SS A...			-SPLIT-	420.47
Total 623 · Social Security/Medicare - Dist					420.47
Total 600 · Park/Rec Sal & Ben					24,616.77
<b>TOTAL</b>					<b>24,616.77</b>

33

## APRIL 2016 WATCH COMMANDER MONTHLY REPORT

### Sergeant Hui

#### TEAM #1 STATISTICS

Officer:	Martinez (K31) (0600-1800)	Barrow (K26) (Covering)	Wilson (K38) (1800-0600)	Foley (K47) (1800-0600)
Days Worked	15	17	14	16
Traffic Stops	02	01	07	
Moving Citations	00	00	03	
Parking Citations	01	01	20	
Vacation/Security Checks	10	00	35	
FI-Field Interview	00	02	00	
Traffic Accident Reports	00	00	01	
Cases	12	01	00	
Arrests	01	01	00	
Calls for Service	54	27	21	

- BRIEFING/TRAINING:
- None

#### SERGEANT'S REVIEW:

- None

#### SERGEANT'S SUMMARY:

One item that sticks out in this month's significant events log was that we had 7 vandalisms to vehicles that occurred on the evening of 4/17 to the morning of 4/18. One change that residents can implement that is extremely helpful for your local police department is to add motion sensor lights to the front part of your house. Now please keep in mind I am not asking you to install a huge halogen flood lamp that will turn night to day as a car drives down your street. I am suggesting a motion sensor light that will trigger if someone is at your front door or in your driveway. Motion sensor lights are generally a deterrent for the would-be auto burglar, as most of them prowling around at night like to work in the dark. For your police officers, a motion sensor light that comes on as he or she is driving down your street is a great indicator that something is at that house that warrants greater attention.

If you are considering a remodel, or replacing one of your exterior lights, please consider a motion sensor light. Most of your hardware/home improvement stores will have a variety to choose from.

- SIGNIFICANT EVENTS:
- 2016-0755 – On 4-3-2016, Officer Martinez responded to the 300 block of Berkeley Park Blvd for a reported petty theft from an unlocked vehicle.
- 2016-0765 – On 4-4-2016, Officer Martinez responded to the 00 block of Edgcroft Rd for a reported identity theft.
- 2016-0827 – On 4-11-2016, Sergeant Barrow responded to the 1000 block of Redhawk Trail, Richmond, CA for a warrant arrest.
- 2016-0903 – On 4-18-2016, Officer Martinez responded to the 700 block of Coventry Rd for a reported vandalism to a vehicle.
- 2016-0904 – On 4-18-2016, Officer Martinez responded to the 700 block of Coventry Rd for a reported vandalism to a vehicle.
- 2016-0905 – On 4-18-2016, Officer Martinez responded to the 700 block of Coventry Rd for a reported vandalism to a vehicle.
- 2016-0906 – On 4-18-2016, Officer Martinez responded to the 700 block of Coventry Rd for a reported vandalism to a vehicle.
- 2016-0907 – On 4-18-2016, Officer Martinez responded to the 700 block of Coventry Rd for a reported vandalism to a vehicle.
- 2016-0908 – On 4-18-2016, Officer Martinez responded to the 700 block of Coventry Rd for a reported vandalism to a vehicle.
- 2016-0909 – On 4-18-2016, Officer Martinez responded to the 700 block of Coventry Rd for a reported vandalism to a vehicle.
- 2016-0982 – On 4-24-2016, Officer Martinez responded to the 200 block of Willamette Ave for a reported identity theft.
- 2016-0997 – On 4-27-2016, Officer Martinez responded to the area of Yale Ave at Oberlin Ave for and arrested the driver for driving a stolen vehicle.

#### TRAFFIC STATISTICS:

Team #1 took 1 traffic collision report during the month of April.



## APRIL 2016 WATCH COMMANDER MONTHLY REPORT

### Sergeant Hull

#### TEAM #2 STATISTICS

Officer:	Hui (K42) (0600-1800)	Hull (K17) (1800-0600)
Days Worked	20	17
Traffic Stops	00	04
Moving Citations	00	00
Parking Citations	00	00
Vacation/Security Checks	00	03
Cases	08	01
Arrests	00	01
Traffic Accident Reports	01	01
Calls for Service	49	30

#### BRIEFING/TRAINING:

- CPOA Vehicle Pursuit Policy for Immunity to Apply.
- CPOA Justifiable Use of a Taser Analyzed

#### SERGEANT'S SUMMARY:

Springtime is here.

KPD is still working with a skeleton crew to cover patrol. I would like to recognize Sgt. Hui, Officer Martinez, and Officer Wilson for showing up and for maintaining their shift integrity. We look forward for the return of the injured officers.

I would like to welcome aboard our latest hire, Ted Foley who was hired from the KPD reserve program.

#### SIGNIFICANT EVENTS:

- 2016-0743 – On 4-1-2016, Sgt. Hui responded to the 200 block Arlington Ave. to a report of Identity Theft.
- 2016-0745 – On 4-1-2016, Sgt. Hui responded to the 100 block of Lawson Dr. to a report of Trespassing.
- 2016-0746 – On 4-1-2016, Sgt. Hui responded to the corner of Sana Fe Ave. @ Colusa Ave. to a report of a non-injury vehicle accident.
- 2016-0748 – On 4-1-2016, Sgt. Hull responded to the 100 block of Lawson Rd. to a reported suicide attempt.

- 2016-0788 – On 4-6-2016, Sgt. Hui responded to the 200 block of Las Altos Dr. to a report of Fraud.
- 2016-0790 – On 4-6-2016, Sgt. Hui responded to the 300 block of Arlington Ave. to a report of Fraud.
- 2016-0802 – On 4-7-2016, Sgt. Hull responded to the 300 block of Arlington Ave. to a report of a vehicle rollover collision.
- 2016-0804 – On 4-8-2016, Sgt. Hull responded to the 300 block of Arlington Ave. for a collision and arrested the driver for DUI.
- 2016-0882 – On 4-14-2016, Sgt. Hull took a report of a dog fight in the unit block of Cowper Avenue.
- 2016-0876 – O 4-14-2016, Sgt. Hui responded to the unit block of Arlington Ave for a report of Identity Theft.
- 2016-0960 – On 4-21-2016, Sgt. Hull responded to the 300 block of Ocean View Ave. to contact a resident at the request of the Alameda County Sheriff Department.
- 2016-968 – On 4-22-2016, Sgt. Hull responded to the 300 block of Colusa Ave. to a report of a juvenile threatening suicide.
- 2016-0969 – On 4-23-2016, Sgt. Hull responded to the 400 block of Berkeley Park Blvd. to a report of a domestic dispute.
- 2016-0970 – On 4-23-2016, Sgt. Hull responded to the 400 block of Berkeley Park Blvd. for a mental health evaluation.
- 2016-0975 – On 4-23-2016, Sgt. Hui responded to the unit block of Rincon Rd. to a report of Petty Theft.
- 2016-1016 – On 4-30-2016, Sgt. Hui responded to the 200 block of Arlington Ave. to a report of Identity Theft.

## April 2016 Investigations and Statistics

### Sergeant Barrow

#### SIGNIFICANT EVENTS:

Due to staffing levels I was assigned to patrol for several days during the month of April.

During the month of April I presented several cases to the Contra Costa County District Attorney's Office and am awaiting final review. I am still awaiting arrest warrants for several cases. I obtained an arrest warrant for a person who has violated a restraining order on numerous occasions. I arrested the subject in Richmond and he was booked into the Martinez Detention Facility without incident.

On 4/30/2016, we conducted a drug take back day at the Kensington Public Safety Building with the assistance of the Kensington Fire Department. We collected 184.4 lbs. of various medications.

#### **2016-562, 574, and 685 Identity Thefts**

During the month of March, Officers responded to three identity thefts. **At this time I'm still waiting the Contra Costa County District Attorney's Office to finish their review of these cases. I hoping to obtain an arrest warrant in the next few days.**

#### **2016-997 Stolen Vehicle**

On 4-27-2016, Officer Martinez responded to the area of Oberlin Avenue and Yale Avenue for a reported vehicle driving erratically with its hazard lights on. A female was located driving the vehicle that was being reported stolen at the same time in San Francisco. The female was arrested for vehicle theft with priors and probation violation. The suspect was transported to the county jail. This case was presented to the DA and the suspect was charged with Possession of stolen property and two counts of prior vehicle theft enhancements.

#### **2016-743, 765, 876, 982, and 1016 Identity Thefts**

During the month of April, Officers responded to five identity thefts. These cases are being reviewed to see if they are linked to other identity cases that we have charges pending on.

#### **2016-903, 904, 905, 906, 907, 908, and 909 Vandalisms**

On 4-18-2016, Officers responded to the area of Coventry Road Lenox Road for reported vandalisms, seven in total. The vandalisms consisted of vehicle tires being slashed or punctured during the night. A witness saw a white male adult, approximately 5'7" to 6'00" tall, wearing a dark shirt and camouflage pants bent over next to one of the victim vehicles. The witness thought it was a jogger and thought nothing of it and did not alert the Kensington Police. These cases are under further investigation and if you see anyone suspicious in the area please call police.

## KPD Monthly Crime Statistics

April 2016

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	0	0	0	0	0
Residential Burglary	0	0	0	0	0
Larceny Theft	2	2	0	0	0
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<u>2</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>

<b>Other Crimes</b>					
Other misdemeanor	1	0	0	1	1
Identity Theft	5	3	2	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	7	7	0	0	0
Drugs	0	0	0	0	0
Warrant	1	0	0	1	1
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	1	0	1	0	0
Other Misdemeanor Traffic	1	0	0	1	1
<b>Other Crime Totals</b>	<u>16</u>	<u>10</u>	<u>3</u>	<u>3</u>	<u>3</u>

<b>All Crime Totals</b>	<u>18</u>	<u>12</u>	<u>3</u>	<u>3</u>	<u>3</u>
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Traffic Accidents (Non Injury)	3
Traffic Accidents (Injury)	0

## KPD Crime Statistics

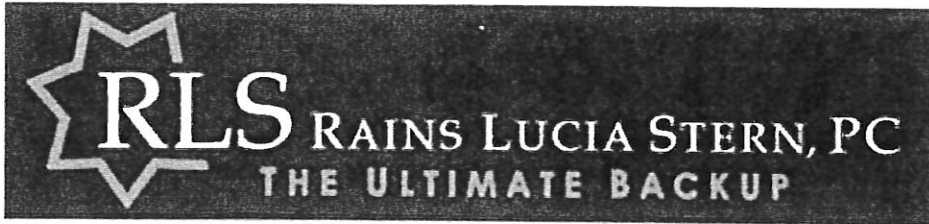
YTD 2016

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	4	0	0	4	2
Residential Burglary	5	5	0	0	0
Larceny Theft	13	10	2	1	1
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<b><u>22</u></b>	<b><u>15</u></b>	<b><u>2</u></b>	<b><u>5</u></b>	<b><u>3</u></b>
<b>Other Crimes</b>					
Other misdemeanor	2	0	0	2	2
Identity Theft	12	9	3	0	0
Fraud	3	3	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	3	2	0	1	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	17	15	2	0	0
Drugs	0	0	0	0	0
Warrant	1	0	0	1	1
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	7	3	4	0	0
Other Misdemeanor Traffic	1	0	0	1	1
<b>Other Crime Totals</b>	<b><u>46</u></b>	<b><u>32</u></b>	<b><u>9</u></b>	<b><u>5</u></b>	<b><u>4</u></b>
<b>All Crime Totals</b>	<b><u>68</u></b>	<b><u>47</u></b>	<b><u>11</u></b>	<b><u>10</u></b>	<b><u>7</u></b>

Traffic Accidents (Non Injury) 12  
 Traffic Accidents (Injury) 0

\* 2011 case





**FOR IMMEDIATE RELEASE**

**April 12, 2016**

**CONTACT: Justin E. Buffington (925) 609-1699 [JBuffington@RLSlawyers.com](mailto:JBuffington@RLSlawyers.com)  
Kensington Sergeant Exonerated After Investigation of Claim of Unlawful Car Stop**

The Richmond Police Department recently completed an independent investigation of the allegations made against Kensington Police Sergeant Keith Barrow by Vanessa Cordova, a Kensington Police Protection and Community Services District Board member.

Ms. Cordova alleged that she was the victim of stalking and harassment by the Kensington Police Department, including when she was pulled over and issued a “fix-it” ticket by Officer Juan Ramos and Sgt. Barrow in Berkeley, not far from the Kensington city limits, in October 2015.

**“The investigation disclosed that Ms. Cordova, an elected official, had expired registration tabs on her vehicle at the time of the stop and that she had not registered her vehicle for nearly two years, a violation of California Vehicle Code section 4000(a). The Vehicle Code permits officers to tow a car if the registration is expired in an excess of six-months, should they choose,”** said Justin E. Buffington, RLS Attorney for Kensington Police Officers’ Association.

During the complained-of car stop, Ms. Cordova, produced two one-day, temporary moving permits, issued by the DMV. However, the moving permits were invalid as they had not been properly completed and therefore Cordova was unlawfully operating her vehicle. These types of temporary, one-day moving permits are often the subject of fraud by those who use them as a substitute for valid registration.

**“In addition to Cordova’s delinquent registration, it was found that Ms. Cordova was operating her car without a front license plate, a violation of Vehicle Code section 5200(a). It was also discovered that Ms. Cordova’s drivers’ license had been suspended up until the day of the October traffic stop. Based on these facts, the outside investigator properly concluded that Ms. Cordova was lawfully stopped and lawfully issued a ‘fix-it’ ticket,”** said Buffington.

Ms. Cordova’s allegations of harassment and unlawful detention were determined to be unfounded<sup>[1]</sup>.

The investigator also examined the propriety of the location of the stop, given it occurred in Berkeley. The investigator first corroborated Barrow’s account that he and

41  
1

Officer Ramos had traveled to a convenience store in Berkeley to purchase food, by reviewing surveillance video from the store. The investigator then determined that, consistent with Penal Code section 830.1, a Notice of Consent exists, circa 2010, which permits police officers from the City of Kensington to engage in law enforcement in the City of Berkeley. It was further discovered during the investigation that it is not uncommon for police officers in Kensington to make traffic enforcement stops in neighboring jurisdictions, should they encounter an obvious violation.

**“The investigator determined that Sgt. Barrow had no demonstrable animus towards Ms. Cordova, as she described her interactions with Barrow as professional and devoid of “personal issues.” It is Ms. Cordova that has personal issues with the Kensington Police Officers’ Association (“KPOA”), which, along with several other prominent members of the community, withdrew its endorsement for Ms. Cordova’s candidacy just prior to the election, in part due to her divisive campaign that sought to deepen fissures on the District’s governing board by calling for ballots to be cast for “anybody but the incumbent.” The KPOA’s withdrawal of its endorsement infuriated Ms. Cordova and by the fallacious nature of the allegations she has made against the Officer Ramos and Sgt. Barrow, it is clear that she has not gotten over it,”** added Buffington.

Buffington said **“Ms. Cordova also lobbed a delusional claim, that after the complained of car stop had ended and she was sent on her way with a fix-it ticket, she remained in her car, paralyzed with fear that if she reached for her phone, she would be shot by Officer Ramos and Sgt. Barrow, who, at the time, were both sitting in their patrol car while Officer Ramos, chronicled what led to the stop on the back of the ticket.”**

The crazy and specious claims by Ms. Cordova did not stop there. Ms. Cordova told the outside investigator that she feared that Kensington police officers would plant drugs or some other type of contraband in her car. She said, without even a whiff of proof that officers had attempted to burglarize her garage. She claimed that an officer parked next to her car (the one she shouldn’t have been driving), despite other parking stalls being open, as an act of intimidation.

Despite finding no evidence that KPD officers engaged in any of the outlandish behavior Ms. Cordova had alleged, the outside investigator did, paradoxically, conclude that, despite the traffic stop being lawful and sound, Sgt. Barrow should have engaged in greater supervisory discretion by calling off the stop because it was likely that, based on Cordova’s demonstrated instability and hostility towards KPD, Cordova would fly off the handle and bring forth a litany of false allegations.

In essence, Sgt. Barrow stands criticized by the outside investigator in this matter, not for engaging in conduct which violates the law or Department policy, but because he should have foreseen that the issuance of a lawful fix-it ticket to Ms. Cordova would cause her to spin out of control and (1) file a baseless criminal complaint with the FBI,

(2) request the issuance of a protective order (which was denied), (3) file an internal affairs complaint replete with exaggerations and falsehoods, and (4) pander those exaggerations and falsehoods to the media.

Another import of the outside investigator's conclusion is that it is appropriate to abandon perfectly lawful enforcement action if the person who is the subject of the enforcement action is a vocal complainer. Were law enforcement agencies to adopt such a course of logic, anybody who is rancorous towards the police would be exempt from following the law; enforcing the law would come to a stand-still. The law is to be enforced dispassionately and evenhandedly and nobody, even an elected official, is above the law.

The outside investigator found that Sgt. Barrow, who was off duty after having worked the previous night shift and then engaging in KPOA business, should have been in uniform as policy requires such, during the encounter with Ms. Cordova. Sgt. Barrow never left the vicinity of the hood of Officer Ramos's patrol car, while Officer Ramos contacted Ms. Cordova. The investigation also determined that Sgt. Barrow should have asked for permission from the Chief to go on a ride-along with Officer Ramos, even though every single officer interviewed advised that it was commonplace for off-duty officers to ride along with on-duty officers to get lunch or coffee after the conclusion of their shifts.

**“However, it is Ms. Cordova's behavior that is disturbing, particularly given that she is an elected official. Ms. Cordova has demonstrated a pattern of erratic, verbally abusive and paranoid behavior, punctuated with distortions, exaggerations, and plain lies,”** said Buffington. For example, Ms. Cordova alleged that she was a victim of harassment after speaking out against the Department at a District board meeting. Ms. Cordova publicly claimed that Officer Ramos, as an act of intimidation, responded to her house for an alarm call which was allegedly fabricated by Ramos, because the alarm had allegedly not been triggered. However, it was Cordova that was lying to the media and the public. Ms. Cordova was lawfully, surreptitiously recorded during the alarm call response by Officer Ramos who feared a decidedly unstable Ms. Cordova would fabricate allegations against him and, in fact, she did. The recording very clearly reveals Cordova admitting that she accidentally triggered the home alarm when she entered her home with her headphones on after going jogging.

**“In addition to the outright lie about Ramos fabricating an alarm call at her home, she also exaggerated the length of the October car stop involving Sgt. Barrow. The entire stop lasted approximately 12 minutes (the entire stop was recorded by Officer Ramos on a digital recorder) from contact to finish but Ms. Cordova told investigators that the “harassing” stop lasted a whopping 45 minutes,”** Buffington added.

Ms. Cordova, undeterred by reality, also alleged that KPD officers damaged the bumper of her BMW convertible. However, on October 27, 2014, two different KPD officers were on patrol when they observed a vehicle with expired registration in excess of six months. The officers knew that the car was towable based on the significantly delinquent registration. The officers conducted a file check on the registered owner and found it to be registered to Ms. Cordova. At the time, Ms. Cordova was running for her seat on the Board and as a result, the officers contacted the then Chief of Police to inquire as to how to proceed. The Chief, concerned that citing or towing Ms. Cordova's car would incur her ire, instructed the officers to take no further action. For documentation purposes, prior to leaving, one of the officers snapped a photo of her expired registration tab and in doing so, captured preexisting bumper damage to her vehicle, the same damage that she disingenuously attributed to having been caused by "nefarious" cops at KPD.

Separate and apart from Ms. Cordova's difficult relationship with the truth, the investigation established that she has difficult relationships with other human beings, as civilian witnesses observed Cordova to have an angry temper. Civilian employees of the Department have described seeing Ms. Cordova fly into angry rages, and described her when she came to the Department after the traffic stop involving Sgt. Barrow as being so angry that she was shaking. They painted a picture of Ms. Cordova demanding to see the Chief of Police and then walking into his office and yelling at the Chief so loudly that it could be heard throughout the building. Her behavior was described by one civilian employee as "alarming, unprofessional, and unprecedented."

Cordova's hostile demeanor and sense of self-importance has caused officers to behave timidly towards her when it comes to enforcing the law. One officer reported to the outside investigator that she stopped Ms. Cordova while she was driving another person's car. Upon effecting the stop, Cordova asked the officer, "Do you know who I am?" The officer was understandably led to believe that Ms. Cordova feels that she is exempt from the law based on her position as a Board member.

**Buffington concluded that "Ms. Cordova's many publicly made false allegations have necessitated this response, which is intended to reveal the truth. It is the sincere hope of Sgt. Barrow and Officer Ramos that given that the outside investigator has debunked Ms. Cordova's claims, the community of Kensington can now move forward with confidence in the officers who protect it."**

###

[1] According the U.S. Department of Justice standards used by the outside investigator, a finding of "unfounded" means that "the alleged acts did not occur."

44  
4

The Bay Area News Group, specifically the West County Times published an article in their paper on February 1, 2016, entitled: Kensington Investigation-"Residents say police force is targeting them". The article was written by Thomas Peele. The sub-headline read "Claims of harassment and stalking pile up against town's troubled department."

As a result of this article and residents' concerns, I conducted an inquiry into the concerns mentioned in the article. I will explain the facts, along with providing documented proof that these allegations did not happen as reported and/or believed as noted in the article.

I will only be reporting about the Police Department, and issues noted in the article, not about the affairs of the Board of Directors.

1. Traffic Stop involving a KPPCSD Board of Director-

Facts: At the time of this writing, this personnel matter is still under investigation and review. I appreciate the work performed by Richmond Police Department, at no charge to the District. I will review and evaluate the report, and will determine, what if any, departmental violations may have occurred.

2. Intimidation for speaking critical of Police Department.

Facts: In connection with this claim, I reached out to everyone listed in the article, and reviewed computer records and past investigations. Based on this examination, I have found no evidence of any intimidation by members of the police force in connection with the situations addressed in the article. In fact, I have only found one complaint for intimidation that was lodged against officers and a formal investigation was completed. The article mentioned Andrew Gutierrez filed a formal complaint. That is correct. Two Kensington Police members were on routine patrol, one a Field Training Officer and one was a trainee. They observed a vehicle traveling with a taillight out on Arlington. They subsequently pulled behind the vehicle, and accessed the California Law Enforcement telecommunication System (CLETS) to check registration/ownership status before conducting a traffic stop. While they waited for the computer to return the data, the vehicle pulled to the shoulder and stopped. Corporal Stegman and Officer Wilkens passed by the vehicle and pulled to the shoulder as well. The vehicle and ownership came back to a Kensington resident and CPL Stegman recognized the name. Stegman decided to not conduct a traffic stop at this time and left the area. Based on my review of the facts, this matter was handled appropriately.

3. Allegation of intimidation by Kensington Police Officers by responding to residence of Laurel Chick. According to the article, Laurel Chick stated she felt intimidated after two officers arrived at her door after a 911 call. She stated she never made a 911 call from her residence.

Facts: The Richmond Police/Fire 911 Dispatch center received a call from a phone number registered to the address of Laurel Chick's residence, on October 17, 2012, at 1408 hours. The incident report number is 2012-6624, and Ms. Chick was the point of contact. The report states the officer (s) arrived and contacted Ms. Chick who stated she had misdialed. The officers subsequently cleared the scene. A copy of all calls for service from that residence for the year 2012 and a copy of the 911 disconnect incident report is attached.

45



4. Vanessa Cordova claims an officer responded to her residence after a 911 call which she stated was never made.

Facts: Phone call # 1. In my discussions with Vanessa Cordova, she mentioned two separate times when police responded to her residence without being called. While living at 16 Kensington Court, she states that sometime in February 2015, Sergeant Ricky Hull responded to her place of residence. Ms. Cordova stated this was very strange to her, because she does not have a land line phone in the residence. In any event, a call from a phone number registered to that address was made to the Richmond Police/Fire 911 Dispatch center on February 25, 2015, at 1207 hours. This generated incident report number 2015-822. Sergeant Hull explained to me that he did respond and talked with Ms. Cordova who stated she did not make any 911 call from the residence and that she was not in need of an emergency response. The name associated with the phone number is Joanne Garvey. Copies of the RMS reports are attached.

Phone call # 2. The second call occurred at the same address of 16 Kensington Court, Kensington. Incident report 2015-958 was generated. The call to the Richmond Police/Fire Dispatch center was from an 800 number, which turns out to be assigned to All American Monitoring. I called and spoke to a representative of the company, who confirmed they are a monitoring company and they received an alarm call from 16 Kensington Court at the above stated time and date. They were unable to contact anyone at the residence by phone, so they requested a Kensington Police unit respond to the scene. This is standard protocol for any alarm company. The name associated with the call is Joanne Garvey who may have been a former tenant that had a hard line installed at the residence in the past. Copies of the RMS reports are attached.

5. Cathie Kosel states it was falsely reported by Kensington Police Officers that she answered her door naked when the officers knocked on her door.

Facts: The fact is there is no copy of any Kosel investigation that I have been able to find in the office. Apparently, the investigation was done by the law firm at the time and reported to the Board their findings, verbally. I have, however, talked with the officers who were involved in the investigation. The previous chief of police had overheard a conversation of the officers discussing when they went to the Kosel residence to drop off District documents. They told me that there was never a report nor complaint that Ms. Kosel answered the door naked as reported in the newspaper. I would classify this incident as a terrible misunderstanding or interpretation and may have been exaggerated by all parties involved. The District has since implemented new policies whereas police officers do not drop off documents at the personal residences of members of the Board of Directors. If needed, Board members are asked to come to the office. I see this matter closed.

This is an attachment to the February 2016 General Managers/Chief of Police Report.

<u>Incident Address</u>	<u>Incident Date And Time</u>	<u>Incident Number</u>	<u>Incident Type</u>
248 STANFORD AVE	08/30/2012 07:46:00	2012-00005666	ABANDONED AUTO
248 STANFORD AVE	09/01/2012 14:11:00	2012-00005708	ABANDONED AUTO
248 STANFORD AVE	09/01/2012 14:11:03	2012-00023118	ABANDONED AUTO
248 STANFORD AVE	10/17/2012 14:08:00	2012-00006624	911 DISCONNECT

47

# Incident Report

Print Date/Time: 02/02/2016 14:18

KENSINGTON POLICE DEPARTMENT

Login ID: k42

ORI Number: CA0071300

Incident: 2012-00006624

Incident Date/Time: 10/17/2012 2:08:00 PM  
Location: [REDACTED]  
Kensington CA - CALIFORNIA 94708  
Phone Number: [REDACTED]  
Report Required: No  
Prior Hazards: No  
LE Case Number:

Incident Type: 911 DISCONNECT  
Venue: Kensington  
Source: 911  
Priority: 2  
Status: In Progress  
Nature of Call:

## Unit/Personnel

Unit	Personnel
W100	26-BARROW
X1	41-RAMOS

## Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	CALLER	CHICK, LAURA CMCST	[REDACTED] KNSNGTN	[REDACTED]			

## Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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## Disposition(s)

Disposition	Count
R12	1

## Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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*contacted on 911 disconnect*

*48*

# CAD Narrative

10/17/2012 14:08:52 DOTY,STACEY Narrative: E911 Info - Class of Service: VOIP Special Response Info: RICHMOND PD  
RICHMOND FIRE RICHMO

10/17/2012 14:09:09 DOTY,STACEY Narrative: LAND LINE .. NOTHING SAID.. VM ON CB,  
I arrived and contacted the resident who had mis dialed.

I found no signs of foul play.

KTB K26

<u>Incident Address</u>	<u>Incident Date And Time</u>	<u>Incident Number</u>	<u>Incident Type</u>
16 KENSINGTON CT	08/03/2003 14:28:59	2003-00001785	MEDICAL
16 KENSINGTON CT	08/03/2003 14:31:00	2003-00001733	ALARM
16 KENSINGTON CT	07/04/2004 14:01:04	2004-00001464	MEDICAL
16 KENSINGTON CT	07/04/2004 14:03:00	2004-00001421	MEDICAL
16 KENSINGTON CT	12/11/2005 16:30:00	2005-00002526	FOUND PROPERTY
16 KENSINGTON CT	02/08/2007 07:42:00	2007-00000391	ALARM
16 KENSINGTON CT	02/13/2007 09:26:00	2007-00000455	ALARM
16 KENSINGTON CT	03/02/2007 17:38:52	2007-00000680	ALARM
16 KENSINGTON CT	03/02/2007 18:26:23	2007-00000682	ALARM
16 KENSINGTON CT	12/26/2007 11:08:31	2007-00004585	ALARM
16 KENSINGTON CT	10/09/2008 07:46:49	2008-00002276	MEDICAL
16 KENSINGTON CT	10/09/2008 07:48:06	2008-00005388	INFO ONLY
16 KENSINGTON CT	04/20/2009 03:11:07	2009-00001674	ALARM
16 KENSINGTON CT	03/11/2012 03:40:11	2012-00000576	MEDICAL
16 KENSINGTON CT	03/11/2012 03:42:00	2012-00001757	MEDICAL
16 KENSINGTON CT	06/16/2012 18:20:55	2012-00004016	ALARM
16 KENSINGTON CT	09/14/2012 13:27:08	2012-00005940	ALARM
16 KENSINGTON CT	03/13/2013 19:15:37	2013-00001240	ALARM
16 KENSINGTON CT	05/21/2014 10:53:28	2014-00001125	MEDICAL
16 KENSINGTON CT	05/21/2014 10:56:52	2014-00002463	MISCELLANEOUS
16 KENSINGTON CT	05/31/2014 09:34:40	2014-00002646	ALARM
16 KENSINGTON CT	06/02/2014 10:01:42	2014-00002689	ALARM
16 KENSINGTON CT	06/02/2014 17:25:00	2014-00002698	ALARM
16 KENSINGTON CT	06/03/2014 20:22:45	2014-00001237	MEDICAL
16 KENSINGTON CT	06/03/2014 20:24:00	2014-00002721	MEDICAL
16 KENSINGTON CT	06/07/2014 19:49:17	2014-00001269	MISCELLANEOUS
16 KENSINGTON CT	06/07/2014 19:51:00	2014-00002798	OUTAIDED
16 KENSINGTON CT	06/09/2014 14:46:26	2014-00002831	OPEN DOOR
16 KENSINGTON CT	06/11/2014 19:11:50	2014-00001304	MISCELLANEOUS
16 KENSINGTON CT	07/13/2014 07:08:18	2014-00001577	MEDICAL
16 KENSINGTON CT	07/13/2014 07:12:00	2014-00003438	EXTRA PATROL
16 KENSINGTON CT	09/12/2014 09:45:47	2014-00004714	SECURITY CHECK
16 KENSINGTON CT	10/08/2014 11:03:00	2014-00005273	ALARM
16 KENSINGTON CT	10/22/2014 08:45:10	2014-00005558	ALARM
16 KENSINGTON CT	12/27/2014 10:05:00	2014-00006718	EXTRA PATROL
16 KENSINGTON CT	01/05/2015 09:49:37	2015-00000074	ALARM
16 KENSINGTON CT	02/25/2015 12:07:09	2015-00000822	911 DISCONNECT
16 KENSINGTON CT	03/08/2015 17:38:27	2015-00000958	ALARM



# Incident Report

Print Date/Time: 02/02/2016 12:15  
 Login ID: k37

KENSINGTON POLICE DEPARTMENT  
 ORI Number: CA0071300

Incident: 2015-00000822

Incident Date/Time: 2/25/2015 12:07:09 PM	Incident Type: 911 DISCONNECT
Location: [REDACTED] Kensington CA - CALIFORNIA 94707	Venue: Kensington
Phone Number: [REDACTED]	Source: 911
Report Required: No	Priority: 2
Prior Hazards: No	Status: In Progress
LE Case Number:	Nature of Call:

Unit/Personnel

Unit	Personnel
S40	17-HULL

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
	CALLER	M, GARVEY JOANNE	[REDACTED] Richmond CA - CALIFORNIA	[REDACTED]			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
------	------	------	------	-------	-------	---------	-------

Disposition(s)

Disposition	Count
R12	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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51

## CAD Narrative

02/25/2015 12:07:09 LAMB, DOUGLAS Narrative: E911 Info - Class of Service: RESD Special Response Info: RICHMOND PD  
RICHMOND FIRE RICHMO Uncertainty: Confidence:

02/25/2015 12:07:30 LAMB, DOUGLAS Narrative: NOTHING SAID CALLING BACK

02/25/2015 12:07:34 LAMB, DOUGLAS Narrative: PHONE ONLY RINGS

02/25/2015 12:08:00 HILL, MARIANNE Narrative: BC

Resident Vanessa Cordova advised she did not call 911 and does not have a hard line to the home. The phone # that made the call was [REDACTED]. Cordova advised she was not familiar with this phone number and was not in need of emergency services. The name associated with this call is Joanne Garvey who may have been a former tenant that had a hard line phone. Closed.  
RLH

# Incident Report

Print Date/Time: 02/02/2016 12:16  
 Login ID: k37

KENSINGTON POLICE DEPARTMENT  
 ORI Number: CA0071300

Incident: 2015-00000958

Incident Date/Time:	3/8/2015 5:38:27 PM	Incident Type:	ALARM
Location:	<span style="background-color: black; color: black;">[REDACTED]</span>	Venue:	Kensington
	Kensington CA - CALIFORNIA 94707		
Phone Number:	(800)318-9486	Source:	Telephone
Report Required:	No	Priority:	3
Prior Hazards:	No	Status:	In Progress
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
X1	41-RAMOS

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
	CALLER	ALARM, ADEN	<UNKNOWN>				

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State

Disposition(s)

Disposition	Count
R25	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.

53

## CAD Narrative

03/08/2015 17:40:16 BOWIE, ALLISON Narrative: J GARVEY ESTATES, 510-525-8265, LIVING SLIDER/NUCK SLIDER  
03/08/2015 17:59:50 K41 Narrative: Operator error. JMR k41

**TRANSCRIPT OF INTERVIEW OF VANESSA CORDOVA ALARM CALL  
KENSINGTON POLICE DEPARTMENT IAD CASE #15-02**

VC: Vanessa Cordova  
JR: Officer Juan Ramos

First 29 seconds of recording background and outside noise.

UF: Hi.

UM: Hello.

UF: I set off the alarm.

UM: Yeah, you did.

UF: Either that one...

VC: Ramos, hi.

UM: ...or that one.

UF: Vanessa Cordova. I, I, I walked in. I had my headphones on...

UM: Mm hmm.

UF: ...cause I just finished a run and I, I don't know if this was engaged, but I opened the back one.

UM: Yeah (unintelligible).

VC: And that set it off.

JR: The one set it off. I think that one or that one over there.

VC: You can come in. Come in.

UM: Ok.

VC: And then I went to hit the key pad and it....

UM: Did it say anything on the key pad?

VC: Well, the alarm went off cause I was just finished running and then it just went back to ready.

UM: Oh, ok.

VC: And I thought that was it and then Jean called me.

JR: Ok.

55



VC: Mrs. Durham (unintelligible).

UM: Ok.

VC: And then that's what happened.

UM: Ok, no I just wanted to come check it. I came around the corner and I was like uh oh. Doors open and then I saw you so....

VC: Someone heard and then I was calling Jean, cause Jean's on the list with the security company.

UM: Ok.

VC: And then, but now I live here.

JR: Ok.

VC: Now you know where I live.

UM: Do you want me to check out the place or you're fine?

VC: You know what (unintelligible) need, but if you need to check it out for any reason you're more than welcome to.

UM: No, I mean that's...I just wanted to make sure you're all right.

VC: Yeah, and I called...I've called Jean three times and her machine isn't on so I was wondering...and I was literally running the trail...

JR: Ok.

VC: ...and I ran by her house I thought that's why she had called.

UM: Oh, ok.

VC: Just to say oh I saw you running. Because I had Bay Alarm at my other house and usually if it sets off and you hit the key pad then you're done.

UM: Yeah.

VC: But I didn't know it reports.

UM: Yeah, if if you can get a...talk to, is it Jean?

VC: Uh huh.

UM: ...(unintelligible) and ask her, if she if she can give you the...

VC: The code.

56

UM: The disarm code.

VC: Right. Cause I did disarm it and usually....

UM: Yeah, they didn't call back.

VC: Ok.

UM: For some reason they didn't call back. So uh, so just figure it out cause it, for some reason even when the other...what was the other....

VC: Ms. Garvey.

UM: When she was here it would go off on its own. So....

VC: And sometimes when I walk in it beeps and sometimes it doesn't beep.

JR: Ok.

VC: It's an old system.

JR: Yeah.

*TELEPHONE RINGS*

VC: That's probably Jean so...

UM: You can go ahead (unintelligible).

VC: Give me a second (unintelligible).

UM: Yeah, no problem.

VC: Oops, oh come on. Mrs. Durham. It's me. Listen, I ran by your house and I thought that's why you were calling to say hello and then I walked in with my headphones and obviously I didn't hear the beep and I opened the sliding glass door and then I disarmed the, the you know the key pad and it seemed to be okay and I didn't know it sent out a call, but Officer Ramos is here and I'm, I'm safe. But I, I called you several times but your machine wasn't on for some reason. Oh, that's what it was, ok very good, but I am safe and sound I promise. I'm so sorry I just I came from running on the trail and I just had my headphones and I was just totally wiped out. Ok, thanks Jean I got your message and Tuesday you can come on by. No problem. So I don't put my bathrobe on. Ok. Thanks so much. Ok. Bye bye. I am so sorry officer.

UM: That's ok. No problem. I just...as long as everything is good that's fine.

57

VC: Yeah that...I just messed up.

JR: It's ok.

VC: But this is where I live. Now you know.

UM: Ok. Alright. Take care.

VC: (Unintelligible) some time.

Door closes. Last 20 seconds of recording background and outside noise.

*RECORDING STOPS AT 4:24.*

500

**Marilyn Stollon**

April 14, 2016 Board Meeting

MOU comments, Pls include in the record.

The MOU as it is written is costly, because the officers already have a high rate of pay and benefits, and it does not do enough to address costs and shared benefit costs. It was negotiated by a board member, Chuck Toombs who was endorsed by the KPOA and got campaign donations, and one wonders how this can be construed as being impartial, when a board member votes on what he has negotiated. In other town where there is a separate town manager, that individual may negotiate a contract but does not vote, and the board members from what I have researched do not negotiate the contracts. Wouldn't that be a conflict of interest?

The MOU does not have specific language regarding contracting out as an option as it is now included in Fairfax, Moraga, Atherton, why not here? Why not spell it out as an option. In fact, unless I am mistaken, I thought I saw that PLG negotiated the MOU with one of these towns I mentioned.

Those finance committee members with a solid finance background ( Jim, Derek, Paula, Simon , Ron )voted against approving this MOU for various budgetary reasons. I am in agreement with them, and think that this MOU needs to be tightened up to be fiscally more conservative.

It is not a question of what other agencies are doing, who gets raises in other towns. You do what is fiscally responsible in your own town, and that is why Fairfax has kept the line on costs to live within their means, no raises for anyone and is building up their resources. We arent broke but we are not in a great financial place and it will only grow exponentially as the medical and pension costs grow with more retirees and increasing costs.

We can do better, or not have the MOU at all and just wait until the Adhoc is finished and then look at a contract based on our needs. This is not so unusual.

We can not isolate one cost and compare for example the cost for an officer at step 1,2,3,4, or 5 of one town to Kensington, it is more complex as Jim points out, the pension and other benefits impact are more complex, and I believe that the input of those finance folks who are opposed to the MOU contract need to be taken very seriously. This new contract can not be undone so easily as we currently see.

Regarding our so called need to attract good staff, and to keep staff, it certainly has not panned out; it is not wages that is the sole factor for job stability. My former client worked for KPD for a short time, a retired police officer from a city, he told me he was bored and did not like management and decided to leave.

This MOU does not help the town fiscally, in view of the recent tactics of the KPOA, it is not the type and quality of the police department I want to serve and protect me, I rather feel that I need protecting from the police department.



RMW

**Response to the Rains, Lucia, Stern Press Release dated April 12, 2016**

Rachelle Sherris-Watt, *Vice President*, Kensington Police Protection and Community Services District

The character and credibility assassination attempt guised in the form of a press release read like a B-movie script with cowering cops and hysterical heroines. In the midst of such purple prose, even I forgot for a moment I am intimately aware of the details.

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61

KEVIN, DISGUST AND ANGER

CHERRY PICKING ABOUT ANIMUS –JUST LIKE LYNN TOOK A FRAGMENT OF A SENTENCE AND MADE MY STATEMENT APPEAR TO BE IN FAVOR OF HARMAN WHEN IT WAS THE OPPOSITE AND YOU KEVIN ALONG WITH LEN DRAGGED YOUR FEET FOR A MEANINGFUL CHANGE. IF YOU CAN QUOTE ONE SENTENCE FROM THE RICHMOND REPORT WHY CAN'T YOU LET THE PEOPLE SEE THE WHOLE REPORT.

YOU VIOLATE YOUR OWN RULE AGAINST LYING.

VANESSA'S REPORT OF BARROW GLARRING AT HER IS ENTIRELY CONSISTENT WITH HIS BEHAVIOR TOWARDS ME AND I COMPLETELY BELIEVE WHAT SHE REPORTED

MY OWN EXPERIENCE IN TELLING YOU TO KEEP HIM AWAY FROM ME BECAUSE I DON'T TRUST HIS JUDGEMENT, INVOLVED YOUR MINIMIZING HIS ACTION TOWARDS HER IN APPARENTLY FOLLOWING HER AND THEN STOPPING HER INTO BERKELEY AND HARASSING HER CAUSES ME TO BELIEVE YOU ARE NOW PART OF THE CULTURE OF COVER UP THAT HAS AND DOES EXIST.

JAN BIERSON'S LETTER CIRCULATED MORE THAN 3 YEARS AGO CHARACTERIZING US AS A POLICE STATE WAS ACCURATE IN THE SENSE THAT WHEN THE POLICE ACT AS IF THEY ARE ABOVE THE LAW, THAT'S WHAT IT IS, A POLICE STATE.

BARROW SKATES AGAIN AND IN THIS YOU SUPPORT WHAT CLEARLY SEEMS TO BE HIS UNDERSTANDABLE CONVICTION THAT IN KENSINGTON HE IS ABOVE THE LAW. I'VE HEARD PEOPLE SPECULATE ABOUT WHAT HE COULD HAVE ON BOARD MEMBERS THAT ALLOWS HIM SUCH FLAGERANT ACTING OUT AND IT'S THIS BOARD THAT HIRED YOU.

YOU KEVIN HAVE IN MY OPINION SUPPORTED CRIMINAL ACTION BY RAMOS IN DELIBERATLY DESTROYING EVIDENCE OF A CRIME AND THEN CONSPIRING WITH BARROW TO FALSIFY THE POLICE REPORT. THERE IS VIDEO EVIDENCE, WHICH YOU HAVE SEEN, OF THE DESTRUCTION OF EVIDENCE OF A CRIME WHICH YOU TRIED TO ABSURDLY EXPLAIN AS NOT A CRIME IN VIOLATION OF THE LAWS OF PHYSICS. AND THE REPORT SPEAKS FOR ITSELF OF THE COLLUSION BETWEEN BARROW AND RAMOS. WHAT ARE YOU GOING TO DO ABOUT THIS LAWLESS BEHAVIOR BY POLICE OFFICERS, ON YOUR WATCH. IT IS ALSO OF INTEREST WHEN IT COMES TO COLLUSION THAT YOU GAVE ME THE CHOICE ONLY OF BARROW OR RAMOS TO INVESTIGATE THE CRIME. THE TOTAL BEHAVIOR IN THIS REGARD LEAVES ME WITH A VERY TROUBLING NEAR CONVICTION OF WHO THE CRIMINALS ARE.

IF THIS BOARD ALLOWS THIS HARRASSMENT OF AN ELECTED OFFICIAL TO STAND UNCHALLENGED, THEN FOR ME THIS IS THE FINAL STRAW AND VANESSA'S CLAIM THAT THE POLICE DEPARTMENT IS CORRUPT IS TRUE AND SO IS ANY MAJORITY VOTE THAT ALLOWS IT. AND, PLEASE DON'T CONFUSE THE SXITUATION WITH BOGUS CLAIMS OF DUE PROCESS. WHERE IS THE DUE PROCESS OWED THE COMMUNITY.

THE ABHORRENT WORDS USED BY BARROWS MOUTH PIECE TO DESCRIBE VANESSA ARE REMINICENT OF THE WAY CATHIE WAS TREATED BY THE THEN MAJORITY AND THEIR SUPPORTERS. CHARACTER ASSINATION IS THE *MOUUS OPPERENDI* OF THE POWER TRIPPERS WHO HAVE BEEN RUNNING THINGS. VANESSA, HAVE COURAGE, DON'T LET THESE PEOPLE FRIGHTEN YOU INTO PARALYSIS. CONTINUE TO FIGHT FOR YOUR CONSTITUANTS AND YOU WILL GET SUPPORT.

AND IF YOU THE BOARD MAJORITY PASS AN MOU THAT IS THE SHELL GAME THE PRESENT ONE IS, THERE ARE WAYS TO CORRECT THAT ATER THE NEXT ELECTION, AS WELL AS A LOT OF OTHER THINGS.

62

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Jim Watt

Total expenditures are outpacing total revenues

Compounded annual change between 2006 and 2015

Total Revenue - 4.1%; Excluding Measure G - 2.0%  
Total Expenditures - 6.5%

During this time we drew down our total reserves by \$700,000 (\$2.1 mil to 1.4 mil)

Current pay per officer

	Annual Base	Total Annual*
Hull	\$96,933	\$111,222
Barrow	91,369	104,141
Hui	91,369	100,857
Stegman	81,288	91,762
Martinez	79,694	89,962
Wilson	79,694	89,962
Ramos	79,694	87,970
Wilkins	75,475	82,408
<b>TOTAL</b>	<b>\$675,516</b>	<b>\$758,284</b>

Officer Avg. \$84,440      **\$94,786**  
Average increase with MOU      **\$101,600**

\*This includes holiday pay, education incentives and longevity

MOU increases in retirement pension benefits for existing officers

Salary increase subj. to pension

6.09% X \$826,096 (\$758,284 + new hire \$67,812) = \$59,309:

assume 75% pensionable = \$37,732  
Less medical contributions: 9 officers X \$1,500 = (13,500)  
Net employee annual gain \$24,232

TOTAL PAYOUT OVER RETIRED LIFETIME, EST. 30 YRS = **\$726,960**

AVG. RETIREMENT BENEFIT PER EXISTING OFFICER = **\$80,773**

New Hire

% increase

Start rate of pay -- Step 2 = \$67,812

Increase after one year -- Step 3 \$71,540

5.5%  
11.9%

Increase after one year with MOU \$75,897

Table 3 below compares Kensington to the other five communities on several financial yard sticks. Because the other communities provide more services than Kensington (like public works, planning and recreation departments) and administrative staff (Town Manager, Finance and Human Resources departments), they all have significantly larger budgets than Kensington. The expenditures for these communities are augmented by a larger share of property tax revenues and in most cases a sales tax revenue and fees for services. However, all of these communities operate a police department with 7 to 13 sworn officers including the chief. Kensington, of course, has 10 officers, and since Kensington has a smaller geographic area to patrol than the other 5 communities (see Table 1), this suggests that some reduction in staffing is worth considering.

In terms of **total fire and police expenditures**, which include salaries, benefits, and other directly related expenses, Table 3 indicates all these communities either have set up joint fire districts (or in the case of Belvedere they participate in adjacent fire districts) with nearby communities. On the police side, while the category shown below as **Police expend.** **Per Households** indicates Kensington's costs are twice those of Moraga and Clayton, they are below two of the more affluent Bay Area communities-Belvedere and Ross. However, this comparison is mostly a function of town size - larger size typically brings down per household cost. Much more important is a comparison of the individual costs that make up police services. The police detail in Table 3 highlights some of the major differences by community. Here is the breakdown by line item.

**Salaries:** Based on the officer count shown below, Kensington's Average Salary per officer is slightly above the other communities. This is, in part, due to the fact that Kensington has a higher percent of officers in senior positions and because most of Kensington's officers are at the top of their "step" pay grade.

**Overtime:** Kensington is generally average. Moraga, on the other hand, appears to use overtime in lieu of hiring more officers.

**PERS-Pension:** Kensington is well above the norm. As explained later, this is because Kensington's labor contract is much more favorable than the other communities and because several of the other communities have paid off their "side fund". Because the side fund presently totals \$273,773 and carries an interest at 7.5%, it would be advantageous to pay any remaining balance off as soon as possible.

**Medical-Active:** Moraga appears to have the best cost control over these costs. Costs are largely driven by how many officers have dependent coverage.

**OPEB Retired-Medical:** Kensington is paying much more than the other communities.

**Dispatch and Vehicle Maintenance:** Not clear how Belvedere and Ross pay so little.

**Salaries and Benefits:** Includes all police department personnel since most communities do not break out the costs and benefits of just sworn officers. This comparison shows that Kensington is paying significantly more, on average, than the other communities.

**Table 3**  
**2015-16 Est. Total Expenditures with Police Detail**

General Financial Comparisons	Kensington		Moraga		Clayton		Tiburon		Belvedere		Ross	
	contract out	\$2.84	Joint Dept	\$7.33	Joint Dept	\$4.10	Joint Dept	\$10.07	Belong to Joint	\$7.04	Joint Dept	\$6.38
Fire Expenditures (mil)	\$2.37		\$2.44		\$2.12		\$3.08		Dist.	\$1.70		\$1.49
Police Expend. Per Household	\$1,058		\$426		\$513		\$795			\$1,759		\$1,709
<b>Police Detail-Major items</b>												
Salaries	\$980,000		\$1,301,000		\$906,000		\$1,238,000		\$625,000			\$763,000
Avg. per officer	\$98,000		\$108,000		\$82,400		\$95,200		\$89,300 *			\$95,400
Overtime	\$60,000		\$200,000		\$75,000		\$85,000		\$50,000			\$30,000
PERS-Pension	\$472,000		\$175,000		\$392,000		\$276,000		\$143,000			\$202,000
Medical-Active	\$150,000		\$149,000		\$174,000		\$314,000		\$141,000			\$173,000
Medical-Retired OPEB	\$167,000		\$0		\$4,000		\$110,000		\$21,000			\$43,000
Total Salaries & Benefits (mil)	\$2.05		\$2.00		\$1.63		\$2.45		\$1.17 *			\$1.33
Services-Dispatch	\$156,000		\$169,000		\$241,000		\$175,000		\$77,000			\$31,000
Fuel and Vehicle Maintenance	\$50,000		\$56,000		\$49,500		\$57,000		\$19,000			\$27,000
<b>Sworn Police Personnel-Rank</b>												
Chief	1		1		1		1		1			1
Corporals and above	4		2		3		5		2			2
Officers	5		9		7		7		4			5
total Sworn	10		12		11		13		7			8
<b>Avg. cost as a % of Salaries &amp; Benefits</b>	<b>\$205,000</b>		<b>\$167,000</b>		<b>\$148,000</b>		<b>\$188,000</b>		<b>\$167,000 *</b>			<b>\$166,000</b>

\* Belvedere currently shares the cost for its police chief, with the town of Tiburon for a total fully loaded annual cost to the city of Belvedere of \$93,660.

Source: Community Budgets FYE 2015-16.



Kensington Property Owners Association

Statement on Police MOU for April 14, 2016 KPPCSD Meeting

The Kensington Property Owners Association applauds the Board for listening to the community and returning to the negotiation table in 2015. We also commend the Police Officers Association *for renegotiating terms of the contract.* The MOU presented to the KPPCSD Board represents the first steps toward employee cost sharing of health care and pension benefit costs. We hope there is an understanding that Kensington property owners cannot continue to cover the lion's share of the benefit costs, along with the long term liability risks, for the excellent benefits that the District provides to its employees. There will need to be a higher level of cost sharing in *order to contain costs within our limited tax resources.*

According to figures provided by the District's Financial Consultant, the cost of a police officer as a result of adoption of this MOU will be almost \$9,000 more per officer by December 31, 2017. The total cost increase from July 2014 to December 2017 is estimated at \$129,000 which *also includes costs for retirees' medical insurance and unfunded pension liability.*

KPOA is evaluating District revenue and expense, including the impact of this MOU for affordability into the future. The Kensington Community needs to understand the related impacts and tradeoffs of the agreements. We need to reconsider spending commitments that are not *affordable, that do not deliver the necessary value and tie our hands with respect to other necessary projects for community benefit.*

We would like know: will property tax revenue growth keep up or even outpace the cost of police salary and benefits and by how much? If the District has sufficient property tax revenue *growth to support this increase in police salaries and benefits, will funding also be available for increases in District expenses, set asides for reserves, or funding to support the community center rehabilitation or other unanticipated expenses?* Would the District consider the MOU to be affordable if every new tax dollar is needed to support this MOU?

We thank you for listening to our Board's comments and recommendations—we look forward to further collaboration in the future.

Respectfully,

Gail Feldman, President  
Kensington Property Owners Association

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68

## Lynn Wolter

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**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Friday, April 15, 2016 9:57 AM  
**To:** Len Welsh GMail; Lynn Wolter; Kevin Hart; Pat Gillette; Vanessa Cordova; Rachelle Sherris-Watt  
**Subject:** Include in the record, M.Stollon

Marilyn Stollon

April 14, 2016

---

Include in the Record

Before I start I would like to know if I can have your assurance that there will not be any retaliation by the police force for these comments tonight?

I would like to ask Chuck, Pat and Len, since you all have had KPOA endorsements when you ran in the past: Do you endorse the smear tactics of the lawyers for the KPOA? Chuck, will you denounce these defamatory statements in the press release, and will you accept the KPOA endorsement and campaign donations again? And folks, do the KPD deserve a raise, a new MOU in view of these supported tactics?

My sense from observing majority actions this year and last year, is that the board is not providing oversight to the interim chief, that KPOA is running the town.

Regarding the investigation of the Berkeley stop by Richmond police, in previous board meetings Interim Chief Hart has repeatedly insisted that the IA investigation will tell us what occurred, and that it will be impartial, and thorough, that he will get the Richmond investigator's recommendations and that he "may or may not follow them". Of course personnel info would not be released, but he said that he would release as much as he could. I was somewhat encouraged, even though it is police investigating police. This, opposed to the Sgt Barrow inhouse investigation by Chief Harman of the Reno scandal that was reported to be no investigation at all by Interim Chief Hart this year.

So, tell me how can you and the IA report have all the relevant information, if only KPD cops who weren't there were interviewed, and Berkeley residents on Ensenada who saw the stop occur were not interviewed, nor the smog tester, and not even our own board member Rachelle Sherris Watt who publicly verified information ?

Was proper procedure followed? Is it typical for a police chief to leave town the day after a city crisis for a multi day out of town conference as Interim Chief Hart did, and thus delay filing a citizen's report? Was that perhaps mentioned in Richmond's IA investigation under their recommendations, or is that considered standard professional, ethical behavior for law enforcement management? Did the Richmond investigators have any comment on how the board members handled the situation? Their lack of action, support etc.? Did they have any recommendations? Will the public ever see the unredacted/non personnel parts of the investigation, or do we need to publicly request it through a PRA and legal action?

What quality of investigation did Richmond do that it may not be released, even in part? Is the press release, which refers to parts of the so called impartial investigation, an indication of the fabrication that exists in the Richmond IA report ?

So I ask Interim Chief Hart again will the investigative report be released so that the public can review the report & perhaps criticisms and recommendations to improve the town?

Cops investigating cops, and it is clearly proving to be the second time around the road to litigation, omission of the facts, and a step back for transparent government.

We advocate for adherence to the Brown Act, yet the majority board has been consistently maneuvering behind the scenes with quickly scheduled and questionable closed board sessions to approve an MOU in 2015, and most recently to extend the contract of the interim chief. Only after much public outcry was the most recent attempt abandoned. We have irrefutable documentation that several board members were contacted by phone when the 2014 Reno scandal occurred , yet Pat Gillette told the public at a meeting, & I was there and its on the record, that the board knew nothing , and was not informed until the investigation was started much later. Fabrication and more fabrication.

For this and so many reasons. I have lost faith in this majority board , their lack of honesty and I believe that the board president, Len Welsh, board members Pat Gillette and Chuck Toombs should step down and resign.



Linda Chief

April 14, 2016

President Welsh and Honorable Board Members:

I urge you strongly to vote on the proposed police MOU this evening, and to pass it. This is a revenue neutral contract proposal which will provide stability to Kensington. You, and the police union representatives, are all to be congratulated for arriving at an expense neutral contract. I especially wish to thank our officers for their patience in having this contract re-negotiated and presented so long after the initial negotiations began in year 2013.

In the first year of the proposed MOU, the average base costs for officer's salaries are some 26% less than the average of our four surrounding cities of Albany, El Cerrito, Berkeley, and Richmond. In the second year of the contract, the average of officer's salaries is almost 24% less than the average base salaries in the same surrounding cities. The same is true for Sergeant's salaries where the new MOU represents savings of 23% less than surrounding cities in the first year, and over 20% less in the second year.

To those who think that contracting out to El Cerrito may be a good idea, I note that the proposed salaries in the Kensington contract are some 21.54% LOWER than El Cerrito's base salaries in first year, and 19.2% less under the second year of the proposed contract. In neighboring El Cerrito, during the 2 year period of 2014 through 2016, salaries have been and will be raised by 16.5% so that the employees could "give back" those wages by paying them into the Calpers system for retirement and medical benefits. In addition, my review of published information of nearby cities indicated that raises for sworn employees ranging from 2% in Berkeley, to 4.5% in Albany are scheduled to be implemented.

The MOU before you presents far more savings to Kensington, and indicates we should not want to buy into the El Cerrito contract. Indeed, our own Fire Department contract with El Cerrito shows that little Kensington is bearing just shy of 30% of the entire El Cerrito Fire Department budget. We do not want to repeat that mistake with a police contract.

The structure of the proposed MOU includes employee participation in both medical and pension contributions. This structural change prepares the way for the implementation of the PEPRAs laws which will be fully in effect in year 2018. Congratulations on that change.

Please vote yes on the MOU.

✓ SECOND POINT:

About the recent investigation by the City of Richmond police department concerning the traffic stop of a Director. The allegations have risen to the level of tabloid or reality show fodder. What has happened to Kensington? It looks like we have gone from Mayberry to mayhem. Shades of Donald Trump!

When I moved here in 1977, this was a friendly town governed by volunteers, and I believe that it is still friendly today. A few years ago, our government, which is headed by you Directors, stopped focusing on governing, and moved to a focus on the personal matters of individuals. I suspect that this sidetracking of District business is the goal of nihilists and gossip mongers. It is meant to make us appear to be in constant chaos so that our small community collapses inward, ready to be sucked up by the neighboring town. Remember, we are officially in the "Sphere of Influence" of El Cerrito, and there is a definite push

Page 2

from the more vocal critics of the Board towards contracting with El Cerrito for our fundamental services. While there are several legal reasons why this may not be possible, the most important reason is to preserve our independent force here, which has given us a wonderful and safe quality of life.

I have been in your seat, and have experienced the great inconvenience and stress of being targeted. You are all to be respected for your volunteer services which epitomizes the character of Kensington.

So, let's clear the air. There is an official report of the investigation of the vehicle stop of one of our Directors and the ensuing interaction with our officers. Several official complaints have been made. I call upon everyone, police officers and Directors, to waive any privilege they may have which could prevent the release of the investigation report. Let the people see it!

This is an educated community. If you *really* do stand for transparency, you will encourage the release of the investigation report to the citizens so that they can judge for themselves what happened. If you do not, then all that remains is speculation, interpretations, and spin by partisans. If you have a privilege, barring the release, then waive it. The taxpayers of Kensington deserve nothing less.

FINAL POINT: SOCIAL MEDIA

There should be an immediate review of policy regarding Board member participation on social media with respect to matters over which the Board has purview. I myself did not and do not belong to Next Door, Facebook, or similar sites, principally because as a former Board member I held and hold information which is inappropriate for disclosure. Indeed, some matters are barred entirely by law from disclosure.

When a Director writes to a site, such as Next Door, about a matter in discussion by the Board, that Director presents an appearance of bias. Should another Director join him or her, then no other Director may join, as that could very well constitute an unnoticed meeting under the Brown Act. I was recently reminded of this regarding an email I sent giving out information I had previously presented at a public meeting.

An immediate policy is needed to deal with this subject, as we have already seen the war of the social media positions with respect to a matter which is subject to non disclosure.

Again, thank you all for your time and your service.



Linda Lipscomb



SIDE LETTER AGREEMENT BETWEEN  
THE CITY OF EL CERRITO  
AND  
EL CERRITO POLICE EMPLOYEE'S ASSOCIATION

MODIFYING LANGUAGE ON SALARIES AND RETIREMENT

July 15, 2014

Representatives for the City of El Cerrito and representatives for the El Cerrito Police Employees' Association have agreed to the following modifications of the Memorandum of Understanding between the City of El Cerrito and the El Cerrito Police Employees' Association which expires on June 30, 2016 and was extended to June 30, 2017 by a Side Letter between the parties dated July 8, 2010 and subsequently modified by a Side Letter dated June 19, 2012. It is the intent of the parties that the Side Letter dated July 15, 2014, modifies as follows the Side Letters dated July 8, 2010 and June 19, 2012.

The modifications to the Memorandum of Understanding between the City of El Cerrito and the El Cerrito Police Employees' Association are as follows:

- Section 3.1 Duration of this Memorandum – This agreement shall be in full force and effect commencing July 1, 2006, through December 31, 2017. Terms and conditions of this Agreement shall remain in full force until adoption of a successor Agreement.
- Section 7.1 – 7.5 Health, Dental and Retirement
  - Maintenance of current benefits for term of MOU.
- Section 7.4 Retirement Plan for Sworn Personnel
  - Effective June 30, 2001, the retirement plan for sworn personnel shall be the 3.0% @ 50 PERS Plan, including:
    - Credit for Unused Sick leave at retirement
    - Final Compensation - Single highest year
    - 1959 Survivor Benefits Level IV
  - For sworn personnel who are hired after December 31, 2012 and who are not "Classic Employees" as defined by CalPERS, the following retirement benefits shall be provided:
    - Retirement formula commonly known as 2.7% @ 57
    - Final Compensation – 3 Year Average
    - Credit for Unused Sick Leave at Retirement
    - The employee contribution shall be 50% of the normal cost as defined by PERS.
  - For miscellaneous personnel who are hired after December 31, 2012 and who are not "Classic Employees" as defined by CalPERS, the following retirement benefits shall be provided:
    - Retirement formula commonly known as 2% @ 62
    - Final Compensation – 3 Year Average
    - Credit for Unused Sick Leave at Retirement

- The employee shall contribution shall be 50% of the normal cost as defined by PERS.
- Section 8.1 Holidays
  - Effective July 1, 2010, the City will increase the number of floating holidays from two (2) to three (3).
- Section 13.1 Base Monthly Salaries
  - Salary increases for Non-Sworn Personnel
    - Effective July 2010 – 2.0%
    - Effective January 2011 – 2.0%
    - Effective July 2011 – Survey
    - Effective the first full pay period in July 2012, there shall be no increase to the base salary for represented classifications.
    - Effective July 2013 – Survey
    - Effective the first full pay period after adoption of this Side Letter by the City Council, the base monthly salary shall be increased by 8.0%.
    - Effective the first full pay period in July 2015, the base monthly salary shall be increased by 4.5%.
    - Effective the first full pay period in July 2016, the base monthly salary shall be increased by 4.0%.

○ Salary increase for Police Sergeant

- Effective July 2010 – 3.0%
- Effective January 2011 – 3.0%
- Effective July 2011 – 3.0%
- Effective January 2012 – 3.0%
- Effective the first full pay period in July 2012, there shall be no increase to the base salary for represented classifications.
- Effective July 2013 – Survey
- Effective the first full pay period after adoption of this Side Letter by the City Council, the base monthly salary shall be increased by 8.0%.
- Effective the first full pay period in July 2015, the base monthly salary shall be increased by 4.5%.
- Effective the first full pay period in July 2016, the base monthly salary shall be increased by 4.0%.

2010 - 2012 = 12%

2014 - 2016

= 16.5%

○ Salary increase for Police Officer/Corporal

- Effective July 2010 – 3.5%
- Effective January 2011 – 3.5%
- Effective July 2011 – 3.5%
- Effective January 2012 – 3.5%
- Effective the first full pay period in July 2012, there shall be no increase to the base salary for represented classifications.

2010 - 2012 = 14%

- Section 13.6 Longevity

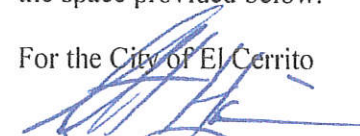
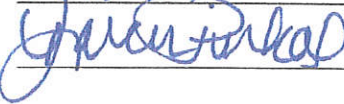
- Effective December 1, 2014 and each December 1 thereafter, the City shall make longevity payments to those employed with the City as of the day of payment as follows:
  - For employees with 5 years of service with the City but less than 10 years, the annual longevity payment shall be three percent (3.0%) of their annual base rate of pay.
  - For employees with 10 years of service with the City but less than 20 years, the annual longevity payment shall be six percent (6.0%) of their annual base rate of pay.
  - For employees with 20 years or more years of service with the City, the annual longevity payment shall be nine percent (9.0%) of their annual base rate of pay.

- Section 13.7 A. Shift Differential

- Effective with the first full pay period in July 2010, this language replaces 13.7 A. of the MOU which expires on June 30, 2017.
  - Effective with the first full pay period in July 2010, sworn personnel assigned to night shift shall receive 2.0% of their base rate of pay as shift differential pay for all hours worked.
  - Effective with the first full pay period in January 2011, shift differential shall be eliminated.

If the forgoing is in accordance with your understanding, please indicate your acceptance and approval in the space provided below.


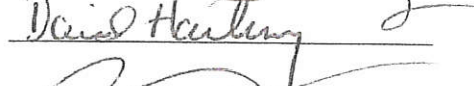
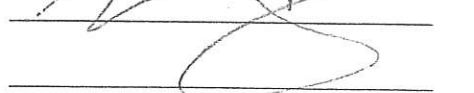
For the City of El Cerrito

  
\_\_\_\_\_  
  
\_\_\_\_\_

Date:

7/17/14

For the ECPEA

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Date:

7/17/14



- Effective July 2013 – Survey
- Effective the first full pay period after adoption of this Side Letter by the City Council, the base monthly salary shall be increased by 8.0%.
- Effective the first full pay period in July 2015, the base monthly shall be increased by 4.5%.
- Effective the first full pay period in July 2016, the base monthly salary shall be increased by 4.0%.

2014-2016  
= 16.5%

- Section 13.3 - Pension Reimbursement

- A represented regular employee's base monthly salary shall be as stated in Section 13.1, with the employee's PERS contribution paid by the City.
  - Effective the first payroll period after adoption of this Side Letter by the City Council, classic safety employees shall pay their 9.0% employee contribution towards PERS.
  - Effective the first payroll period after adoption of this Side Letter by the City Council, classic miscellaneous employees shall pay their 8% employee contribution towards PERS and an additional 1% towards the employer PERS contribution for a total of 9% contribution towards PERS pension costs.
  - Effective the first payroll period after adoption of this Side Letter by the City Council, New Miscellaneous Employees, as defined by PERS, shall pay a minimum of 9% towards PERS pension costs.
  - Effective the first full pay period in July 2015, both classic safety and miscellaneous employees shall make a 1.5% contribution towards the employer PERS contribution, for a total of 10.5% contribution towards PERS pension costs.
  - Effective the first full pay period in July 2015, New Miscellaneous Employees shall pay a minimum of 10.5% contribution towards PERS pension costs.
  - Effective the first full pay period in July 2016, both classic safety and miscellaneous employees shall make an additional 1.5% contribution towards the employer PERS contribution, for a total of 12.0% contribution towards PERS pension costs.
  - Effective the first full pay period in July 2016, New Miscellaneous Employees shall pay a minimum of 12.0% contribution towards PERS *pension costs*.
  - Effective the first full payroll period after adoption of this Side Letter by the City Council, both miscellaneous and safety employees hired after December 31, 2012, who are not "Classic Employees" as defined by CalPERS and are receiving retirement benefits as per the Public Employees' Pension Reform Act (PEPRA) shall pay 50% of the normal costs of their retirements as determined by PERS in accordance with PEPRA requirements.
- Effective the first payroll period after the adoption of this Side Letter by the City Council, an employee's pension contributions shall be tax deferred and made in accordance with IRS Section 414 H(2).



## Lynn Wolter

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**From:** Leonard Schwartzburd <drlschwartzburd@gmail.com>  
**Sent:** Friday, April 15, 2016 6:08 PM  
**To:** Lynn Wolter  
**Cc:** Vanessa Cordova; Rachelle Sherris-Watt; Pat Gillette; Chuck Toombs; Len Welsh GMail; Kevin Hart  
**Subject:** My statement last night for the minutes  
**Attachments:** DISGUST AND ANGER--VANESSA FINDING.docx

Lynn,

My statement from last night for your convenience for the minutes **Is attached.**

I note that because the overstuffed mouth piece for Barrow who seemed to me to choose words dredged up from the depth of his bowels, in addition said, just before he fled, that they are releasing the full report from Richmond, I extemporaneously altered the first paragraph in the hopes that that at least was true. You have my permission to substitute what I actually said verbatim, pending my opportunity to first approve it as accurate based on the video.

I would note one more addition. I extemporaneously said of Jan Bierson: "...who is not exactly a radical..."

Very truly,

Leonard Schwartzburd

KEVIN, DISGUST AND ANGER

CHERRY PICKING ABOUT ANIMUS –JUST LIKE LYNN TOOK A FRAGMENT OF A SENTENCE AND MADE MY STATEMENT APPEAR TO BE IN FAVOR OF HARMAN WHEN IT WAS THE OPPOSITE AND YOU KEVIN ALONG WITH LEN DRAGGED YOUR FEET FOR A MEANINGFUL CHANGE. IF YOU CAN QUOTE ONE SENTENCE FROM THE RICHMOND REPORT WHY CAN'T YOU LET THE PEOPLE SEE THE WHOLE REPORT.

YOU VIOLATE YOUR OWN RULE AGAINST LYING.

VANESSA'S REPORT OF BARROW GLARRING AT HER IS ENTIRELY CONSISTENT WITH HIS BEHAVIOR TOWARDS ME AND I COMPLETELY BELIEVE WHAT SHE REPORTED

MY OWN EXPERIENCE IN TELLING YOU TO KEEP HIM AWAY FROM ME BECAUSE I DON'T TRUST HIS JUDGEMENT, INVOLVED YOUR MINIMIZING HIS ACTION TOWARDS HER IN APPARENTLY FOLLOWING HER AND THEN STOPPING HER INTO BERKELEY AND HARASSING HER CAUSES ME TO BELIEVE YOU ARE NOW PART OF THE CULTURE OF COVER UP THAT HAS AND DOES EXIST.

JAN BIERSON'S LETTER CIRCULATED MORE THAN 3 YEARS AGO CHARACTERIZING US AS A POLICE STATE WAS ACCURATE IN THE SENSE THAT WHEN THE POLICE ACT AS IF THEY ARE ABOVE THE LAW, THAT'S WHAT IT IS, A POLICE STATE.

BARROW SKATES AGAIN AND IN THIS YOU SUPPORT WHAT CLEARLY SEEMS TO BE HIS UNDERSTANDABLE CONVICTION THAT IN KENSINGTON HE IS ABOVE THE LAW. I'VE HEARD PEOPLE SPECULATE ABOUT WHAT HE COULD HAVE ON BOARD MEMBERS THAT ALLOWS HIM SUCH FLAGERANT ACTING OUT AND IT'S THIS BOARD THAT HIRED YOU.

YOU KEVIN HAVE IN MY OPINION SUPPORTED CRIMINAL ACTION BY RAMOS IN DELIBERATLY DESTROYING EVIDENCE OF A CRIME AND THEN CONSPIRING WITH BARROW TO FALSIFY THE POLICE REPORT. THERE IS VIDEO EVIDENCE, WHICH YOU HAVE SEEN, OF THE DESTRUCTION OF EVIDENCE OF A CRIME WHICH YOU TRIED TO ABSURDLY EXPLAIN AS NOT A CRIME IN VIOLATION OF THE LAWS OF PHYSICS. AND THE REPORT SPEAKS FOR ITSELF OF THE COLLUSION BETWEEN BARROW AND RAMOS. WHAT ARE YOU GOING TO DO ABOUT THIS LAWLESS BEHAVIOR BY POLICE OFFICERS, ON YOUR WATCH. IT IS ALSO OF INTEREST WHEN IT COMES TO COLLUSION THAT YOU GAVE ME THE CHOICE ONLY OF BARROW OR RAMOS TO INVESTIGATE THE CRIME. THE TOTAL BEHAVIOR IN THIS REGARD LEAVES ME WITH A VERY TROUBLING NEAR CONVICTION OF WHO THE CRIMINALS ARE.

IF THIS BOARD ALLOWS THIS HARRASSMENT OF AN ELECTED OFFICIAL TO STAND UNCHALLENGED, THEN FOR ME THIS IS THE FINAL STRAW AND VANESSA'S CLAIM THAT THE POLICE DEPARTMENT IS CORRUPT IS TRUE AND SO IS ANY MAJORITY VOTE THAT ALLOWS IT. AND, PLEASE DON'T CONFUSE THE SXITUATION WITH BOGUS CLAIMS OF DUE PROCESS. WHERE IS THE DUE PROCESS OWED THE COMMUNITY.

THE ABHORRENT WORDS USED BY BARROWS MOUTH PIECE TO DESCRIBE VANESSA ARE REMINICENT OF THE WAY CATHIE WAS TREATED BY THE THEN MAJORITY AND THEIR SUPPORTERS. CHARACTER ASSINATION IS THE *MOUUS OPPERENDI* OF THE POWER TRIPPERS WHO HAVE BEEN RUNNING THINGS. VANESSA, HAVE COURAGE, DON'T LET THESE PEOPLE FRIGHTEN YOU INTO PARALYSIS. CONTINUE TO FIGHT FOR YOUR CONSTITUANTS AND YOU WILL GET SUPPORT.

AND IF YOU THE BOARD MAJORITY PASS AN MOU THAT IS THE SHELL GAME THE PRESENT ONE IS, THERE ARE WAYS TO CORRECT THAT ATER THE NEXT ELECTION, AS WELL AS A LOT OF OTHER THINGS.

78

## Lynn Wolter

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**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Friday, April 15, 2016 9:57 AM  
**To:** Len Welsh GMail; Lynn Wolter; Kevin Hart; Pat Gillette; Vanessa Cordova; Rachelle Sherris-Watt  
**Subject:** Include in the record, M.Stollon

Marilyn Stollon

April 14, 2016

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### Include in the Record

Before I start I would like to know if I can have your assurance that there will not be any retaliation by the police force for these comments tonight?

I would like to ask Chuck, Pat and Len, since you all have had KPOA endorsements when you ran in the past: Do you endorse the smear tactics of the lawyers for the KPOA? Chuck, will you denounce these defamatory statements in the press release, and will you accept the KPOA endorsement and campaign donations again? And folks, do the KPD deserve a raise, a new MOU in view of these supported tactics?

My sense from observing majority actions this year and last year, is that the board is not providing oversight to the interim chief, that KPOA is running the town.

Regarding the investigation of the Berkeley stop by Richmond police, in previous board meetings Interim Chief Hart has repeatedly insisted that the IA investigation will tell us what occurred, and that it will be impartial, and thorough, that he will get the Richmond investigator's recommendations and that he "may or may not follow them". Of course personnel info would not be released, but he said that he would release as much as he could. I was somewhat encouraged, even though it is police investigating police. This, opposed to the Sgt Barrow inhouse investigation by Chief Harman of the Reno scandal that was reported to be no investigation at all by Interim Chief Hart this year.

So, tell me how can you and the IA report have all the relevant information, if only KPD cops who weren't there were interviewed, and Berkeley residents on Ensenada who saw the stop occur were not interviewed, nor the smog tester, and not even our own board member Rachelle Sherris Watt who publicly verified information ?

Was proper procedure followed? Is it typical for a police chief to leave town the day after a city crisis for a multi day out of town conference as Interim Chief Hart did, and thus delay filing a citizen's report? Was that perhaps mentioned in Richmond's IA investigation under their recommendations, or is that considered standard professional, ethical behavior for law enforcement management? Did the Richmond investigators have any comment on how the board members handled the situation? Their lack of action, support etc.? Did they have any recommendations? Will the public ever see the unredacted/non personnel parts of the investigation, or do we need to publicly request it through a PRA and legal action?

What quality of investigation did Richmond do that it may not be released, even in part? Is the press release, which refers to parts of the so called impartial investigation, an indication of the fabrication that exists in the Richmond IA report ?

So I ask Interim Chief Hart again will the investigative report be released so that the public can review the report & perhaps criticisms and recommendations to improve the town?

Cops investigating cops, and it is clearly proving to be the second time around the road to litigation, omission of the facts, and a step back for transparent government.

We advocate for adherence to the Brown Act, yet the majority board has been consistently maneuvering behind the scenes with quickly scheduled and questionable closed board sessions to approve an MOU in 2015, and most recently to extend the contract of the interim chief. Only after much public outcry was the most recent attempt abandoned. We have irrefutable documentation that several board members were contacted by phone when the 2014 Reno scandal occurred , yet Pat Gillette told the public at a meeting, & I was there and its on the record, that the board knew nothing , and was not informed until the investigation was started much later. Fabrication and more fabrication.

For this and so many reasons. I have lost faith in this majority board , their lack of honesty and I believe that the board president, Len Welsh, board members Pat Gillette and Chuck Toombs should step down and resign.

## Lynn Wolter

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**From:** Garen Corbett <glcorbett@gmail.com>  
**Sent:** Saturday, April 23, 2016 4:48 PM  
**To:** Len Welsh GMail; Chuck Toombs; Vanessa Cordova; Rachelle Sherris-Watt; Pat Gillette  
**Cc:** Lynn Wolter  
**Subject:** Body Cams (Correspondence related to upcoming May Meeting)

Dear Directors-

I am most likely not able to attend the next Board Meeting, and had prepared some personal comments related to April's deferred discussion on police body cams. So, I am sending for your consideration and inclusion in next month's correspondence packet.

Thanks for your consideration and continued community service. Hope you all have relaxing weekends.

Regards,

Garen Corbett  
11 Camelot Ct  
Kensington, CA 94707

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I support sound public safety and police. I also support prudent public policy, and sound risk and financial management decisions. Two meetings ago, the Board authorized bulletproof vests without a single director asking about underlying research of need. Not one director publicly pushed Interim Manager Hart to provide an evidence-based rationale. Thankfully, there are fewer murky policy issues with body armor. But it illustrated that we do not yet have the proper level of oversight or expertise at this point to handle the fuzzier questions that body cams on officers might present us, and I believe there is little reason why we should venture out ahead of many other communities at this point.

While the recordings from body cams may help get to the truth of an incident with our police, they also can record distraught victims, grieving family members, people suffering from mental illness and citizens exercising their rights to free speech and civil disobedience. Cameras may solve one problem but create others. Who is going to manage and handle each of the body cams? Develop policy and monitor? How much might we spend in legal costs? How would we strike the right balance between a citizen's right to privacy and making officers answer for their actions? Are we sophisticated and well-resourced enough in Kensington to find this balance?

The use of police body cameras is still in its infancy, with no official count for how many of the 18,000 state and local departments have turned to them. While dozens of agencies across the country are testing them, and many appear to have plans to roll them out more broadly, what exactly is our rush?

We have big decisions still to make as a community about the direction of our department. Why complicate that process further? Let's demonstrate discipline for both expenditures and policy. Please defer this topic for a year from now, and we can see where we are as a community at that point.

Thank you for your consideration.

Garen Corbett



## Kevin Hart

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**From:** Jason Chen <jason.chen@pw.cccounty.us>  
**Sent:** Monday, April 25, 2016 1:30 PM  
**To:** Kevin Hart  
**Cc:** Kate.Rauch@bos.cccounty.us; Warren Lai  
**Subject:** FW: Kensington: PG&E LED conversion: community meeting information  
**Attachments:** image001.jpg; LED Streetlight - Kensington 05-12-16.pdf

Hi Chief Hart,

Thank you for taking the time to speak with me this morning.

As discussed, we would like to present the PG&E LED conversion at the May 12, 2016 KPPCSD meeting.

Below is our proposed agenda language:

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The Board will receive a report from PG&E and County Public Works regarding the LED Street Light Upgrade.

General Manager Recommendation: Receive Presentation, and take public comments. Informational items.

+++++

Attached is the PowerPoint presentation that you can include in your agenda package.

Please contact me if you have any questions. Thank you.

Jason Chen, P.E.  
Senior Civil Engineer

Contra Costa County Public Works Department Engineering Services  
255 Glacier Drive  
Martinez, CA 94553  
Phone: (925) 313-2299  
Fax: (925) 313-2333  
e-mail: jason.chen@pw.cccounty.us  
website: www.cccpublicworks.org  
"Accredited by the American Public Works Association"

-----Original Message-----

From: Kate Rauch [mailto:Kate.Rauch@bos.cccounty.us]  
Sent: Monday, April 18, 2016 12:10 PM  
To: Jason Chen; Kevin Hart  
Cc: Warren Lai; patricktahara@comcast.net  
Subject: Re: Kensington: PG&E LED conversion: community meeting information

Hi Jason,

I'm sorry it's taken so long to get back to you. I was away last week, and have also been sick.

The two community groups you could present to in Kensington are the Kensington Police Protection and Community Services District (KPPCSD), and the KMAC.

To get on the agenda of the KPPCSD please call Police Chief Kevin Hart at 526-4141, who is also the general manager. To get on the agenda of the KMAC please email Patrick Tahara, chair, at [Patricktahara@comcast.net](mailto:Patricktahara@comcast.net). I will also send a message to Patrick with your information. In fact, I'll cc both of these gentleman here!

Let me know how else I can help,

Kate

510-231-8691

From: Jason Chen <[jason.chen@pw.cccounty.us](mailto:jason.chen@pw.cccounty.us)<<mailto:jason.chen@pw.cccounty.us>>>

Date: Wednesday, March 16, 2016 at 4:20 PM

To: Kate Rauch <[Kate.Rauch@bos.cccounty.us](mailto:Kate.Rauch@bos.cccounty.us)<<mailto:Kate.Rauch@bos.cccounty.us>>>

Cc: Warren Lai <[warren.lai@pw.cccounty.us](mailto:warren.lai@pw.cccounty.us)<<mailto:warren.lai@pw.cccounty.us>>>

Subject: Kensington: PG&E LED conversion: community meeting information

Hi Kate,

Thank you for meeting with us Monday regarding the PG&E LED conversion in Kensington.

I have contacted PG&E and informed them that they will need to attend community meetings as part of the outreach efforts. PG&E have indicated they can attend community meetings.

Please email me the meeting information that District 1 would like PG&E and County staff to attend. I will coordinate with PG&E.

Please let me know if you have any questions. Thank you.

Jason Chen, P.E.

Senior Civil Engineer

[Description: Description: Description: Description: LogoPW010407] Contra Costa County Public Works Department  
Engineering Services

255 Glacier Drive

Martinez, CA 94553

Phone: (925) 313-2299

Fax: (925) 313-2333

e-mail: [jason.chen@pw.cccounty.us](mailto:jason.chen@pw.cccounty.us)<<mailto:jason.chen@pw.cccounty.us>>

website: [www.cccpublicworks.org](http://www.cccpublicworks.org)<<http://www.cccpublicworks.org/>>

"Accredited by the American Public Works Association"

# LED Streetlight Upgrade Kensington

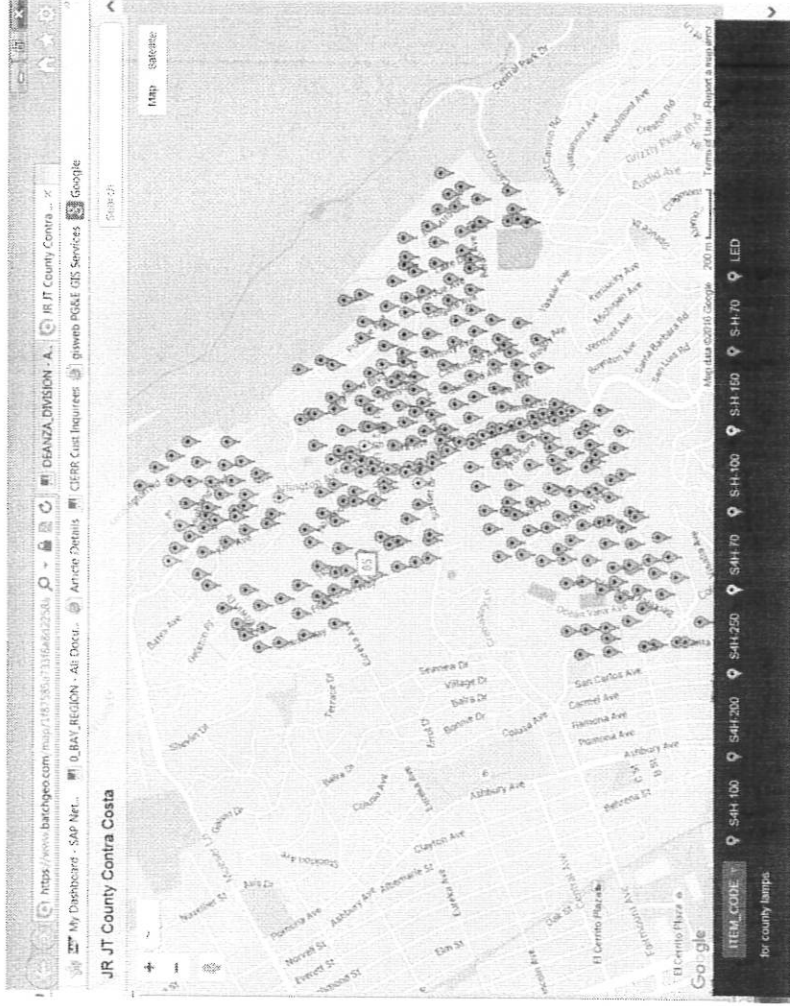
May 12, 2016



OS

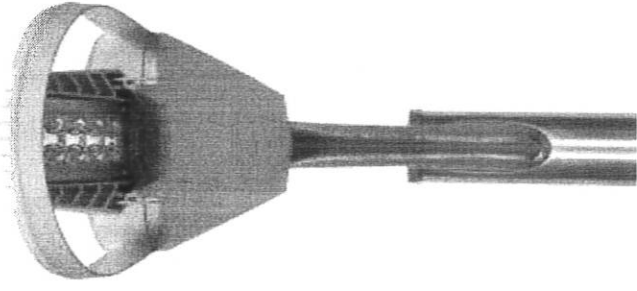
# PG&E Program Overview

- CPUC approved Program to replace approximately 150,000 PG&E owned, High Pressure Sodium (HPS), non-decorative fixtures with high efficiency LED fixtures
- 50,000,000 kWh estimated annual energy savings across PG&E Territory
- Voluntary Program – The County must opt-in to participate
- Only the fixtures at the end of the pole arm will be changed
- The poles, pole height and pole arms will remain the same
- County may choose to change fixture wattage

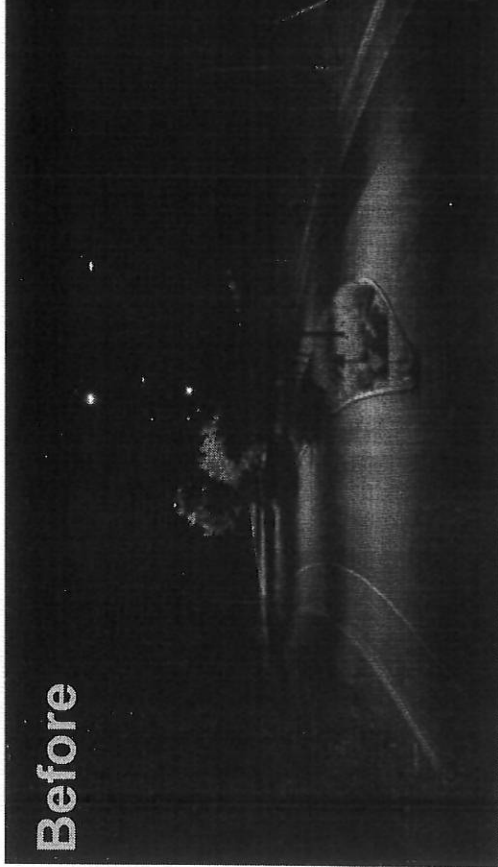


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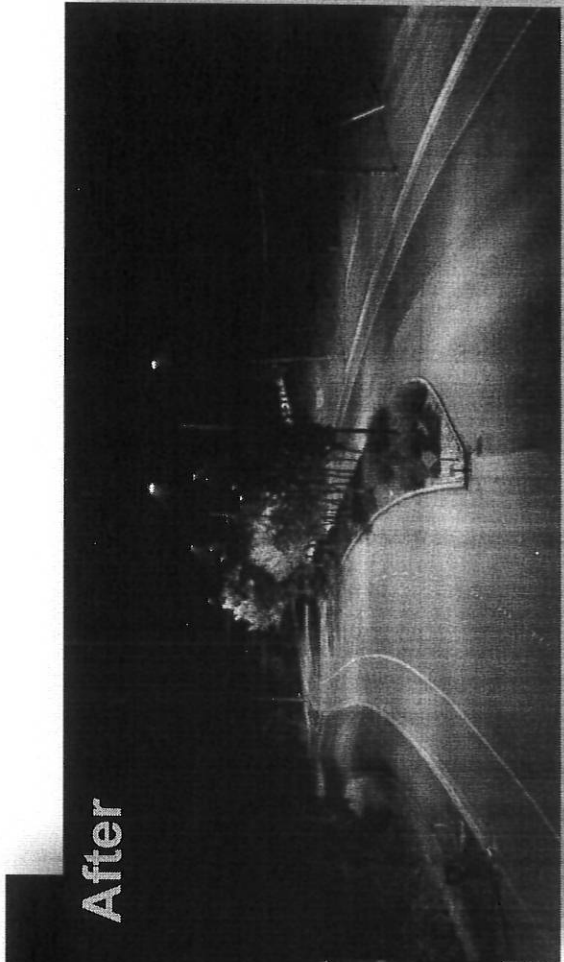
# PF&E<sup>®</sup> Fixtures



- Manufactured by CREE
- Substantial energy & GHG reductions
- Long life (20 years vs. 5 years)
- Stable light output
- 4,000 Kelvin CCT, CRI 70
- Full cutoff, low glare and minimal light trespass
- 29, 34, 56, 73, 101 & 139 Watt fixtures



Before



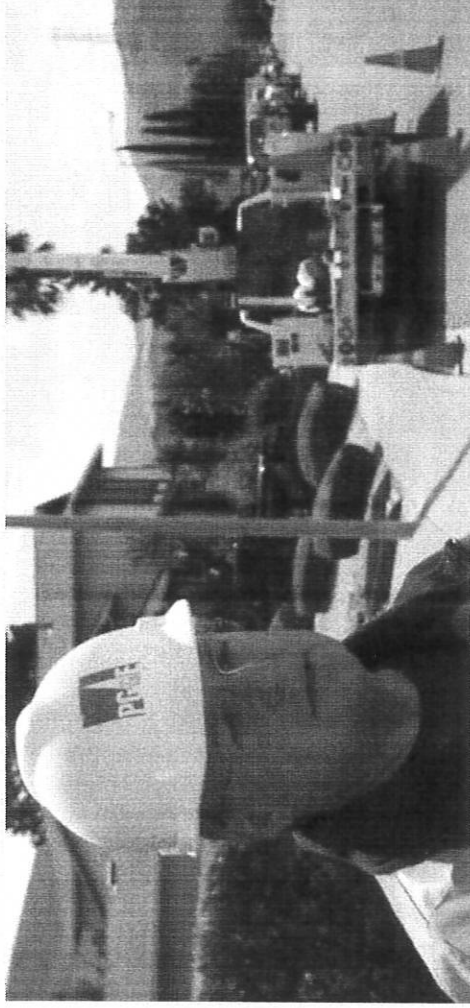
After

87



## Schedule

- County returns inventory with any light level adjustments to formally “opt-in”
- We will hold a kickoff meeting to finalize start dates by community, identify field contacts and review any site specific issues.
- We are targeting a May start
- 1 to 2 weeks prior to start, informational letters will be sent to residents who live near fixtures that will be upgraded
- 2 to 3 weeks after installations are completed, postcards will be sent to residents indicating our work is complete and any final, approved field changes will be completed



**John Sofranac**

Manager, Street and Outdoor Lighting / NRD Operations  
Pacific Gas and Electric Company



## **PG&E** Installation

- Includes only PG&E owned (LS1) cobrahead fixtures
- Does not include decorative or any City owned lights (LS2)
- Bucket trucks with 1 or 2 person crews
- Less than 10 minutes per lamp fixture
- No parking and traffic impacts are anticipated
- Special cases (school zones, street fairs etc.) will be coordinated
- Completion within 1-2 weeks (weather pending)





# Additional Program Information

Webpage [www.pge.com/streetlightupgrade](http://www.pge.com/streetlightupgrade)

**Streetlight Upgrade Program**  
We're upgrading to more energy-efficient LEDs.

As part of our commitment to provide our customers with safe, reliable and affordable service, PG&E will be replacing its non-descriptive streetlights. In collaboration with the cities and counties across its service territory, PG&E will replace 100,000 existing high pressure sodium vapor (HPSV) bulbs with longer-lasting and more efficient light-emitting diode (LED) fixtures over the next three years.

**Streetlight Replacement Program**

**LED Streetlights Provide Multiple Benefits**

- Energy Efficiency**  
LED fixtures use 50-75 percent less energy than HPSV bulbs. Once all replacements have been made throughout the entire PG&E service territory, the potential energy savings are estimated at more than 50 million kWh per year.
- Cost Savings**  
The monthly energy cost is significantly reduced when an HPSV bulb is replaced with an LED fixture of the same wattage.
- Reliability**  
LED technology keeps most of the light output up to four times longer. Since all of the PG&E-owned streetlights in the city are being upgraded at the same time, the lights are not expected to burn out for up to twenty years.
- Improved Safety**  
LEDs provide a more natural looking and evenly distributed light. This results in greater visibility for pedestrians and drivers alike.
- Reduced Carbon Footprint**

**BEFORE** **AFTER**



**John Sofranac**  
Manager, Street and Outdoor Lighting / NRD Operations  
PG&E  
Public Gas and Electric Company

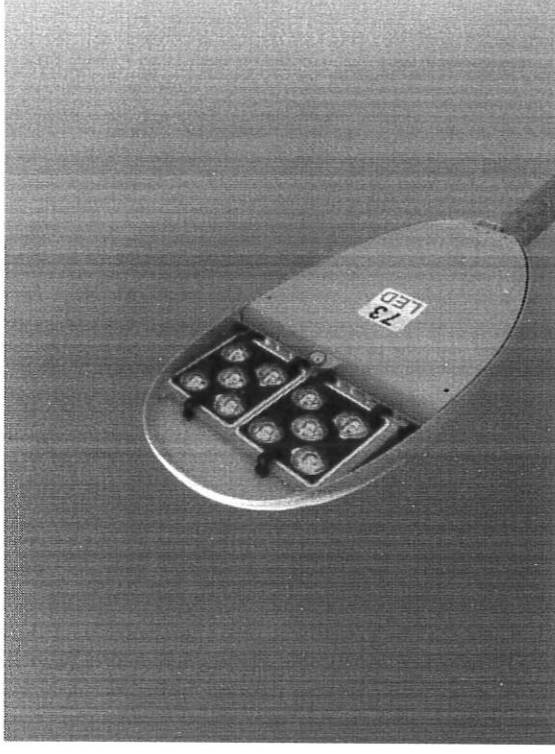
## Videos



**Tim Kingsbury**  
Supervisor, Electric Reliability  
PG&E  
Public Gas and Electric Company

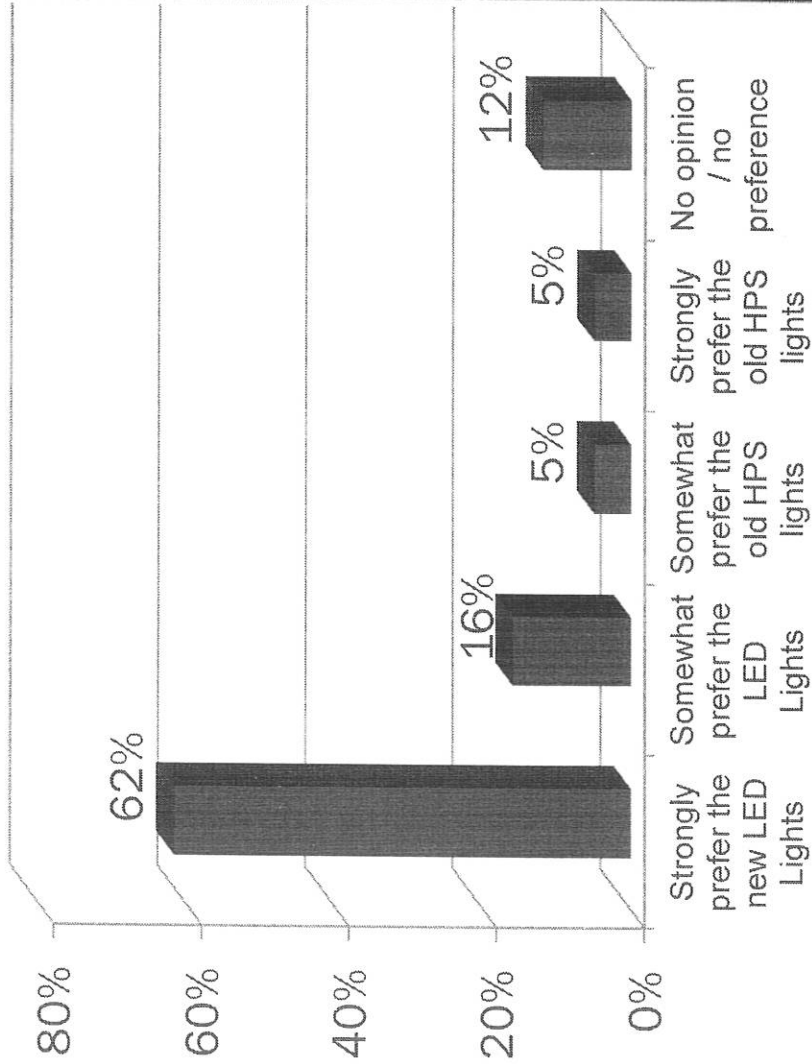
# **PC&E** Inquiry Management

- Local Specialist (Bernardo Cortes) will receive and coordinate inquiries
- Typical inquiries include:
  - General information request
  - Too bright
  - Light intrusion
  - Not enough light
- Adding shields or changing wattage is up to the County
- Bernardo will review inquiries with County staff



# PG&E Survey Results

1,175 Customers participated in phone survey





Questions?



## Kevin Hart

---

**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Tuesday, April 26, 2016 5:10 PM  
**To:** Lynn Wolter; Kevin Hart  
**Subject:** Fwd: Kensington , pls include in the record

I neglected to request this.

Marilyn Stollon

Begin forwarded message:

**From:** Marilyn Stollon <mstollon@sonic.net>  
**Subject:** Kensington Finance Committee Agenda, lack of adequate notification, Brown Act  
??s  
**Date:** April 26, 2016 at 3:53:22 PM PDT  
**To:** Len Welsh <lenwelsh@gmail.com>, Rsherriswatt@kensingtoncalifornia.org,  
ctoombs@kensingtoncalifornia.org, pgillette@kensingtoncalifornia.org, Vanessa Cordova  
<vcordova@kensingtoncalifornia.org>, Kevin Hart <Khart@kensingtoncalifornia.org>  
**Cc:** Lou Ann Texeira <LouAnn.Teixeira@lafco.eccounty.us>, Randy Riddle  
<riddle@publiclawgroup.com>, Thomas Peele <tpeele@bayareanewsgroup.com>

Dear Board and IGM COP Hart,

I am perplexed and surprised to see another short notice, less than 72 hours for a financial committee meeting and agenda, which does not allow the finance committee members, and the public adequate time to review a proposed budget which has \$ 90K in additional police expenses, as well as time to review the audit. This was the very same lack of transparency we all witnessed repeatedly in the community last year when meetings were called without prior notice and without adequate time to review documents.

We have already seen that that IGM COP Hart has prepared a policy for ALPRS, license plate readers which was hidden on the website, unannounced, and only discovered by an alert resident. This language in the policy appeared to imply that there will be a purchase of such equipment, denied by the board member C. Toombs on Next-door. And here we are it is right in the budget...by accident or design?

All of this was done, without noticing the public, nor any public dialogue etc. as is required by law. The board member, ie. Chuck Toombs denied this on Next-door saying it was to be discussed at a board meeting, however, it was actually on the board agenda for information purposes only by Mr. Hart. Mr. Toombs assured us there would be no purchase at this time, etc. etc. etc. and it would be discussed in May. In Hart's info packet, the cost of the items was well over \$50k for license plate



readers. This raised major consternation among residents on ND, as there have been ongoing complaints of police intimidation, a police investigation of 2 officers that substantiated several allegations, an ongoing investigation of police chief Hart for his behavior during the investigation, and questions whether other residents' DMV records were accessed illegally.

How in the world can this majority board and this police department even consider such a device. Has all reasonable analysis gone out the window? How can we be assured that it will not be abused?

What is duplicitous in my view, is that following the above conversation with C. Toombs, the finance committee will now review a 2016/17 budget with 2 proposed items relating to the police department on page 45 of the budget : personal police, \$40k , 10k spent, adding \$30k to the budget; and police traffic equipment , new allocation of \$60k. I reviewed the budget details and line item 965 is for body cams and line item 966 is for license plate readers.

Why in the world are you considering such expenses when we have sky high legal expenses, and no doubt more anticipated with 2 rogue police officers; why are we considering this when there is no budget showing the impact of the recently passed expensive MOU, over \$2M, why are we considering this when there is NO 5 year budget ?? Are we to use reserves? Is this the way a well run district is managed?

If we had a separate GM and COP would this situation get this far, or do you think a GM would handle it differently. With a GM and COP combined, this is what we get, police policy behind closed doors and police funds allocated in a budget before there is any discussion with the public who pays for this ultimately.

And lastly, why are we spending money for police items that an INTERIM COP recommends when a permanent police chief might have another view regarding these items. Why are we looking at spending these funds at this time, when there is a need to curtail spending?

Must we wait until November for common sense to rein in this out of control spending spree, that started with an unnecessary car for the interim chief (33k). Again who is providing oversight of the KPD and GMCOP, and who is running this town, the board or the KPD?

Sincerely ,

Marilyn Stollon

April 27, 2016

To the Members of the KPPCSD Board,

I first raised the "public input" issue at your March meeting when I urged your Board to consider revising its procedures on Public Comment, related to non-agenda items, to the end of your meetings, rather than at the beginning.

My request was based upon the fact that your Board meetings often last well into the evening -- and well beyond your established 10:00pm deadline -- and that I believe this in part is due to the lengthy Public Comment period *on non-agenda items* at the beginning of your Board meetings and prior to receiving public input on and acting on noticed agenda items. As your Board rules currently do not limit the total time allocated for Public Comment at all and allow a most generous five minutes per speaker, the result has been, for each of the three Board meetings that I have recently attended, that the public comment period extended for 40 minutes or more before you got to agenda items, and not one of those meetings came close to ending before the 10:00pm deadline. Further, the meetings then were consistently extended by your board and were, in my view, detrimental to those, such as myself, who attend meetings to participate in matters *on the agenda*.

In my remarks, I noted that many surrounding jurisdictions with which I was familiar, such as Alameda and Contra Costa Counties, had placed both time limits per speaker on public input and placed "public comment" at the end of the agenda. Dr. Delk, in a letter to your Board dated April 1, has subsequently provided further research, limited to nearby city councils, which details the time limits per person (usually 3 minutes each) and when such public input may occur during the agenda.

In order to assist the Board's consideration of developing or revising its rules concerning the duration and timing of public testimony, I thought it might be helpful to the Board to set out some of the legal requirements for these public meetings.

After establishing that meetings must be conducted in accordance with an agenda published in advance of the meeting (sec. 54954.2 of the California Government Code), the Brown Act governing public meetings of legislative bodies then provides:

1. "Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2 [pertaining to "emergency issues"]. Government Code Section 54954.3.

2. The Government Code goes on to provide that each legislative body, such as your Board, "may adopt reasonable regulations to ensure that the intent of subdivision

(a) [above] is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony of particular issues and for each individual speaker." Section 54954.3(b)

3. Finally, the legislative body "shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law." Section 54954.3(c).

Thus, Section 54954.3 differentiates two types of public comment:

A.) Agenda-related public comment - which must be allowed before or during the consideration of that agenda item.

B.) Non-Agenda public comment - which is any item of interest on a topic within the jurisdiction of the legislative body and upon which no action shall be taken. There are no requirements that these comments be heard during consideration of the meeting's agenda items. Pursuant to Section 54954.2(a)(2), no action is to be taken on these topics, but Board members may "briefly respond to comment or questions" or indicate that the matter may be placed on the agenda at a future meeting.

Our First District Court of Appeal has found, "...[T]he Brown Act provides for local agencies to adopt 'reasonable regulations to ensure [opportunity for public comment] including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.' The Brown Act does not specify a three-minute time period for comments, and does not prohibit public entities from limiting the comment period in the reasonable exercise of discretion." *Chaffee v. San Francisco Library Commission* (2005) 134 Cal.App. 4th 199. This case also found that the "reasonable regulations" as adopted by the Board may, on certain occasions, limit comment period in the reasonable exercise of their discretion. This flexibility is particularly applicable when the item concerns a particularly complex matter or "when necessary to allow [the legislative body] to complete its agenda within a reasonable period of time, or before an anticipated loss of quorum". *Id.*

The California Attorney General has held similarly: "With respect to the agenda or a public agency meeting, a single item or several items may not reasonably be permitted to monopolize the time necessary to consider all agenda items. If the legislative body is to complete its agenda, it must control the time allocated to particular matters. This is precisely what the Legislature has recognized in subdivision (b) of section 54954.3, authorizing the adoption of "reasonable regulations." (California Attorney General Opinions, 75 Ops. Cal. Atty. Gen. 89)

As noted in Dr. Delk's letter, most city councils near Kensington limit public input speakers to three minutes per speaker. There are further limits on non-agenda

items. The Berkeley City Council, following "Ceremonial Matters" and comments by the City Manager, allows limited public comments, for a total of up to ten minutes, on matters not on the agenda: two minutes each for five or fewer speakers or up to one minute each up to a total of ten speakers. The remainder of any public comment is to be heard at the end of the meeting. Richmond City Council likewise limits public comment on non-agenda items to the Open Forum period on the agenda. Richmond likewise limits speakers' time in Open Forum, based upon the number of speakers, from two minutes to one minute each and the Open Forum is heard after consideration of other board items. Likewise, the City of Concord limits its total public comment period to 15 minutes for non-agenda items. The City of Albany allows three minutes per speaker for agenda items, but public comment regarding non-agenda items is placed sixth on the agenda under "Good of the City/Public Comment/Announcements."

All of the foregoing authorities, as well as the survey provided by Dr. Delk and my own examples, above, provide ample evidence that your Board has great discretion under the Brown Act as to where general public comment on non-agenda items is placed on your agenda, as well as discretion in limiting agenda-related public comments as to total time and time per speaker.

As set forth in the *California League of Cities Guide to the Ralph M. Brown Act*, 2nd Ed., Open and Public Meetings, page 5, "In the end, implementation of the Brown Act must ensure participation of the public and preserve the integrity of the decision-making process, yet not stifle government officials and impede the effective and natural operation of government." To that end, the most important part of the agenda is the Board's ability to complete its agenda while allowing full citizen participation and comment upon those agenda items. While non-agenda item comments have their place - for example, for community announcements or for suggestions of future agenda items or general complaints - this public comment section should not come at the expense of your Board completing its monthly agenda items in a timely manner. I believe this is particularly true for a voluntary Board such as yours, that already gives its considerable time and effort toward moving forward our local government.

Accordingly, it would be my request and recommendation to place Public Input on non-agenda items at the end of your agenda (or at least after important agenda items) so that the 10 p.m. time limit can be met. If your Board does not wish to have Public Input at the end of the meeting, at least consider restricting the total time allocated by your Board for public input on non-agenda items, as do Berkeley, Richmond and Concord.

Sincerely,

/S/

Richard R. Karlsson

900

## Lynn Wolter

---

**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Wednesday, April 27, 2016 2:57 PM  
**To:** Len Welsh; Rachelle Sherris-Watt; Chuck Toombs; Pat Gillette; Vanessa Cordova; Lynn Wolter  
**Subject:** Closed Session: Letter to the Board, re Hart, pls include in the record

Dear Board Members,

I am unable to attend the public comments section of the closed meeting tonight, but want to convey my adamant opposition to offering Mr. Hart another contract. There are numerous reasons for this :

- That he has NO experience, other than what he received here in being a chief of police, and via his attendance at a 5 day training conference after the Cordova stop. He admitted this to another resident in an email. He is not qualified for the job.
- That he has no experience and understanding of public policy is evident, being a general manager with no expertise in budgeting, finance and requires the assistance of Deborah Russell and Adam Benson to prepare his work. (services we have to pay for over and above his salary)
- That he has shown that he is not impartial, lacks integrity and that he is solely focused on his “men” in the force, that he will do anything to protect them including making alleged untrue statements reflecting on Director Cordova, resulting an outside investigation into his actions and words, which is not resolved as of today.
- That he has abused his benefit package with medical knee replacement and time off, over a week, when he clearly has benefits earned from 30 years of service to Alameda County, that he has abused his training and professional time off benefit in excess of 30 hours, with no prior approval by the board , as is required on his reimbursement form, that he recently left the district for several days in March to attend another unnecessary conference, and ALL of the board members were not formally informed.
- That he attended a multi day meeting as a voting delegate of Dublin, a city of over 50,000 on paid time off from Kensington for a conference that even EC does not attend, that was of no benefit to Kensington a town of less than 5,000, yet we paid for this.



- That, in a combined position , he does not have the requisite minimum skill set , nor education typically required of a general manager. Consequently, he is unable to remove himself from the politics of the position as a general manager would. He has no objectivity.
- That he clearly lacks an understanding of what the town needs as a whole, and is focused on one part, i.e. the police department, unable to effectively discipline in a timely manner the most obvious of infractions, and demonstrates that he does not have control over his staff, as police intimidation tactics continue.
- That 2 costly items were inserted into the budget (body cameras, and license plate readers )without ANY public discussion prior to this, indicating a clear lack of understanding of how to govern with transparency, and inclusion of the public.
- Mr. Hart has no understanding of how to implement public policy, because he does not have training and experience in public administration. He is unable to be effective in guiding Kensington to the next step, and is focused on meeting his own personal needs for improving his benefit and education status.

For all of the above reasons, I can not support Mr. Hart obtaining a new contract from June to January, and believe utilizing PLG's consulting arm would result in a better option for more effective, transparent governance for Kensington.

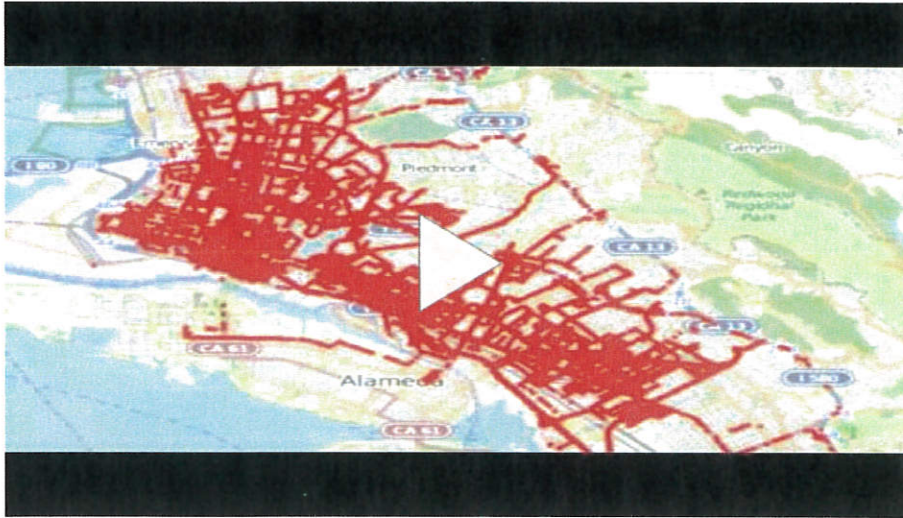
Sincerely,

Marilyn Stollon  
Pls include in the record




JANUARY 21, 2015 | BY [JEREMY GILLULA](#) AND [DAVE MAASS](#)

## What You Can Learn from Oakland's Raw ALPR Data



[Privacy info.](#) This embed will serve content from [youtube-nocookie.com](#)

Police cars mounted with automatic license plate readers (ALPRs) wind their way through the streets of Oakland like a “Snake” game on an old cell phone. Instead of eating up pixels of food, these cameras gobble down thousands of license plates each day. And instead of growing a longer tail, ALPRs feed into a giant database of locational data as they conduct surveillance on every driver within the city limits, and sometimes beyond.

This is the portrait that emerged when EFF analyzed eight days of ALPR data provided by the City of Oakland in response to a [request](#) under the California Public Records Act.

As cities and counties across the country pursue new law enforcement technologies, EFF is on a mission to use transparency as a counterbalance to mass surveillance. Since May 2013, EFF and the ACLU of Southern California have been engaged in [a legal battle](#) with two Los Angeles law enforcement agencies who are refusing to hand over a week’s worth of ALPR data. San Diego County, another jurisdiction, has similarly [fought efforts](#) by citizens to obtain access to data that law enforcement has collected on them [using ALPRs](#). Both claim that the records are exempted under the California Public Records Act because they are records of law enforcement investigations. The agencies also argue the public interest in maintaining secrecy in ALPR data outweighs the public interest in learning how and where ALPR systems are being used.

The rub here is that law enforcement agencies like those in LA, San Diego, and Oakland aren’t using ALPR for targeted investigations, but rather running a dragnet on all drivers in their jurisdictions. As states across the country become more and more concerned about ALPRs and [take steps](#) to limit their use, we believe the disclosure of a limited amount of license plate records will help to inform public debate on this mass surveillance tool.

Events in other jurisdictions support our position. After [Muckrock](#) and the [Boston Globe](#) obtained Boston Police ALPR data, the city suspended the program in the wake of the privacy concerns raised by the data. When the [Minneapolis Star-Tribune](#) obtained ALPR data that it used to track the whereabouts of the mayor, it kicked off [debate](#) in the legislature about how

[Donate to EFF](#)

### Stay in Touch



SIGN UP NOW

### NSA Spying



[eff.org/nsa-spying](http://eff.org/nsa-spying)

EFF is leading the fight against the NSA’s illegal mass surveillance program. [Learn more](#) about what the program is, how it works, and what you can do.

### Follow EFF

A battery of dangerous cybercrime proposals still hang over Brazil: <https://www.eff.org/deeplinks/#CPICIBER>

APR 28 @ 5:49PM

The Commerce Department is trying to improve coordinated vulnerability disclosure. Security researchers can weigh in <https://www.surveymonkey.co>

APR 28 @ 5:27PM

U.S. Special 301 Report complains about media boxes and social networking sites because they can be used for piracy: <https://www.eff.org/deeplinks>

APR 28 @ 4:58PM

[Twitter](#) [Facebook](#) [Identi.ca](#)

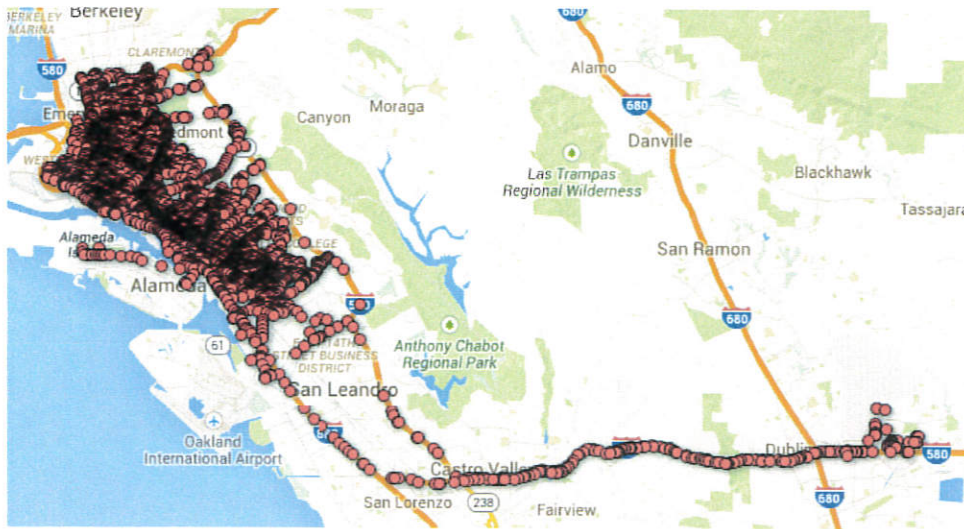
### Projects

101



to balance the privacy of innocent drivers against the ability of police to fight crime. As a Minneapolis city official [noted at a public hearing](#) on ALPRs after the data release, "now that we see someone's patterns in a graphic on a map in a newspaper, you realize that person really does have a right to be secure from people who might be trying to stalk them or follow them or interfere with them." A state legislator and former police chief noted at that same hearing, "even though technology is great and it helps catch the bad guys, I don't want the good guys being kept in a database."

Not all California law enforcement agencies have followed Los Angeles and San Diego's lead in ALPR secrecy. Whereas Los Angeles cops have stalled for more than two years, Oakland provided raw ALPR data in just under two months.



[Click to open interactive map.](#)

With more than 63,000 data points, it's a lot of information to process. We dug into the Oakland data to show many of the ways ALPR can be broken down and visualized to help ensure police accountability. It immediately became clear that with just a few ALPR vehicles—as few as two cars—Oakland is able to capture plate data from across the city, with a particular focus on lower income neighborhoods. The data also shows that police cars pick up license plates when making the journey to county jail (that's the long tail extending to the east). The data does not seem to indicate that Oakland has any ALPR cameras mounted in fixed locations.

Today we're releasing the data to the public, with the individual license plate numbers removed to protect the privacy of drivers captured by these cameras. (While LAPD and LASD also claim the public's right to privacy as a reason for withholding the records, the data can be anonymized easily with a few clicks, either by deleting a column for the spreadsheet or replacing the plates with random numbers.) We've also done some preliminary analysis of the data, which we present below. (If you just want the raw data, the links are at the end of the post.)

## The Numbers

**63,272**

Total number of data points collected by Oakland Police ALPR cameras

**48,717**

Number of unique individual plates captured by Oakland Police ALPR cameras

**39,274**

Number of vehicles that were captured only once

**4,571**

[Bloggers' Rights](#)

[Coders' Rights](#)

[Free Speech Weak Links](#)

[Global Chokepoints](#)

[HTTPS Everywhere](#)

[Manila Principles](#)

[Medical Privacy Project](#)

[Open Wireless Movement](#)

[Patent Busting](#)

[Privacy Badger](#)

[Student Activism](#)

[Student Privacy](#)

[Surveillance Self-Defense](#)

[Takedown Hall of Shame](#)

[Teaching Copyright](#)

[Transparency Project](#)

[Trolling Effects](#)

[Ways To Help](#)

102

Number of ALPR reads within one mile of Oakland Police headquarters

**589**

Number of captured plates that were likely assigned to government vehicles (i.e. police cars, buses, county vehicles, etc., which generally receive plates that are seven numeric digits)

**150**

Number of entries that were obvious bad reads (e.g. the cameras picked up road signs such as "CAUTION" or the plate had more than seven digits)

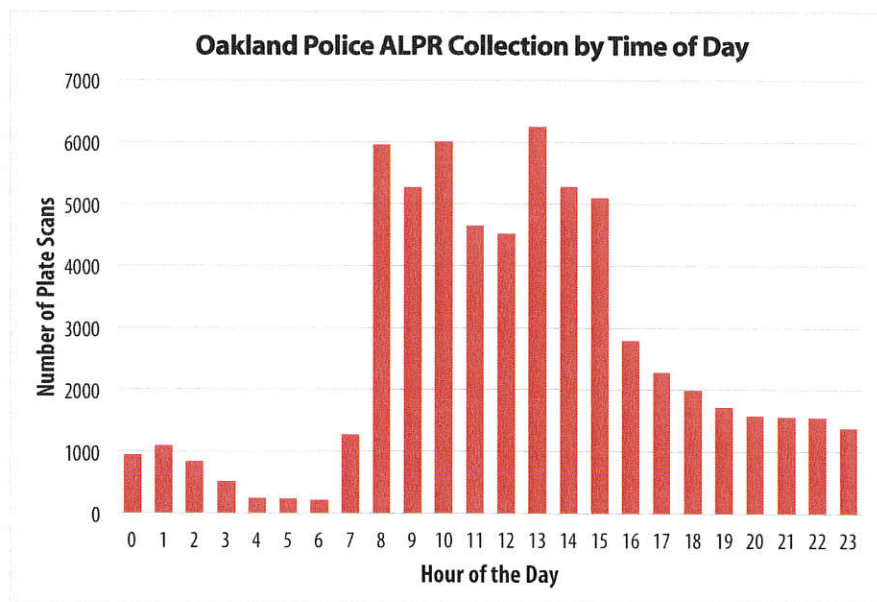
**24**

Number of times the single most-captured plate was hit (a government vehicle, likely a police vehicle, captured multiple times at the same locations over a short period of time)

**1.3**

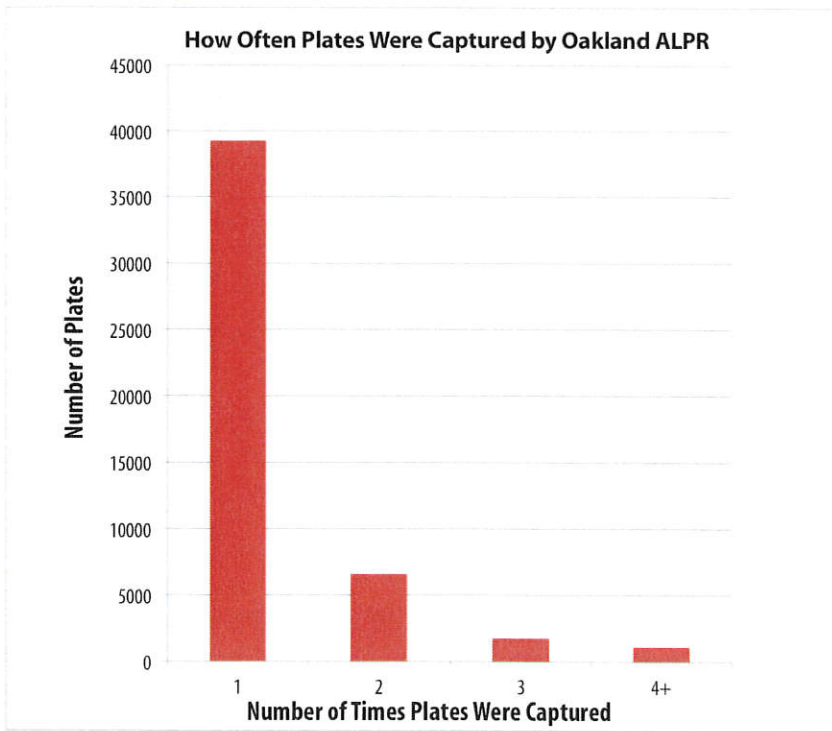
Average number of times an individual plate was captured

### ALPR by the Hour



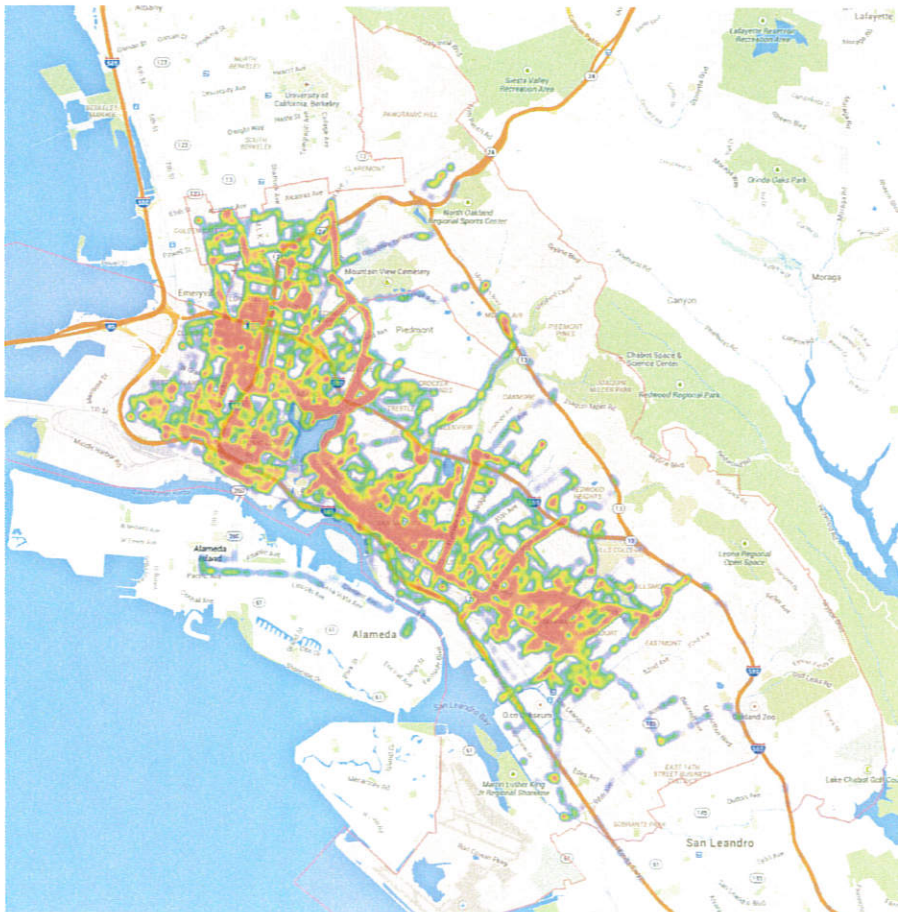
The data indicates that Oakland's ALPR program may mirror the normal workday, picking up like clockwork around 8 am, waning slightly at lunchtime, then picking up again in the afternoon. Plate captures dropped off significantly during the overnight shifts, with ALPR vehicles mostly going dark between 4 am and 7 am.

### ALPR by Frequency



This chart shows how frequently individual plates were captured multiple times. The vast majority of plates were seen only once.

### Heat Maps

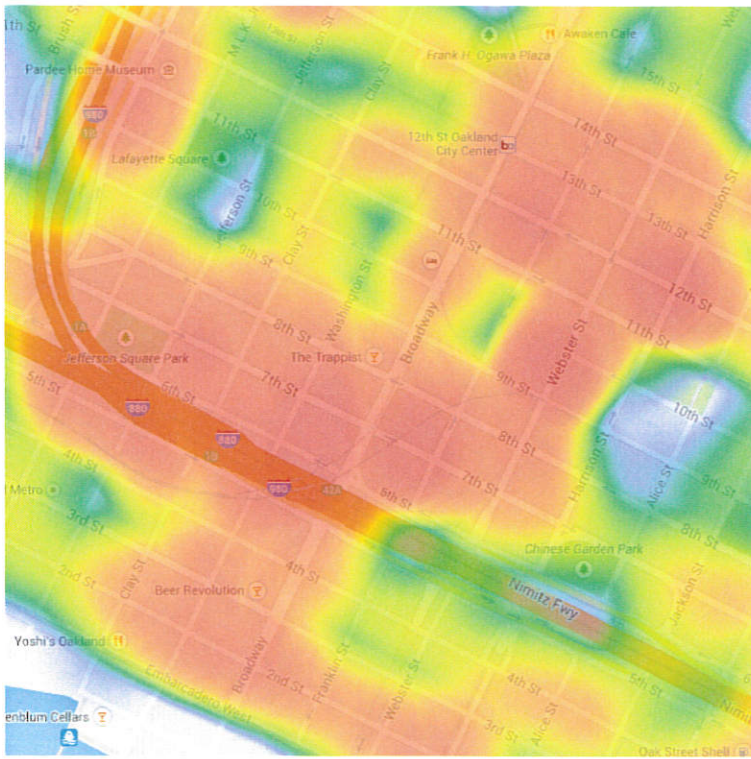


Click to enlarge. The shaded area shows the boundary of the City of Oakland.

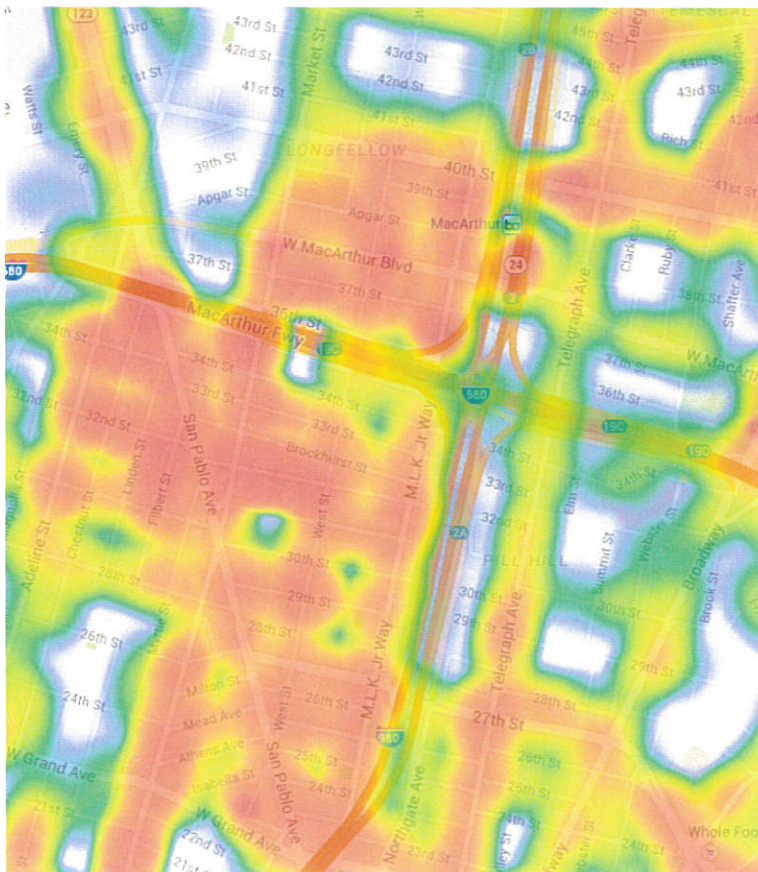
Your plate is more likely to be caught on camera in a few specific locations. For example:

104



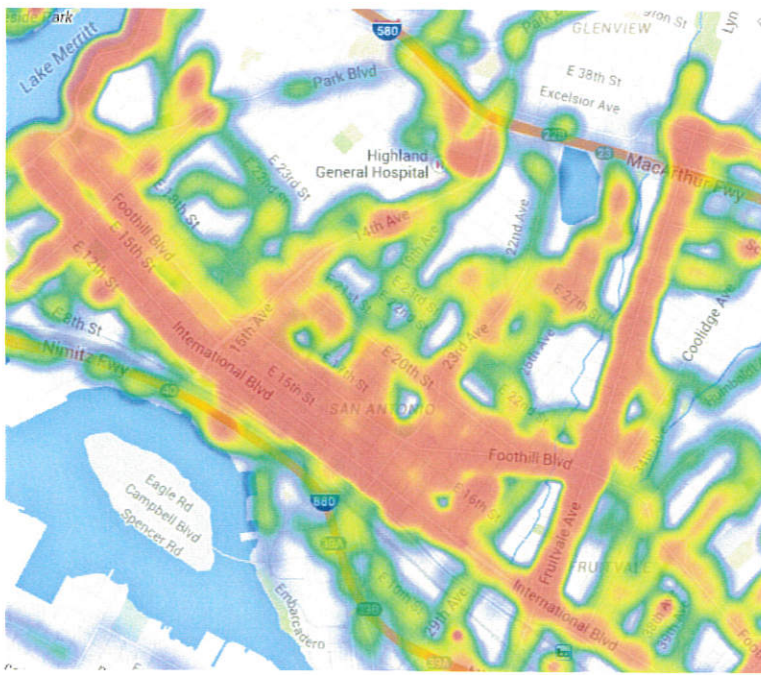


Downtown: Oakland PD headquarters is located near the corner of 7th St. and Broadway, so the increased number of hits in this area are likely due to patrol cars traveling to and from police headquarters.



Northwest Oakland: Have a car in northwest Oakland? Prepare to be scanned and recorded.

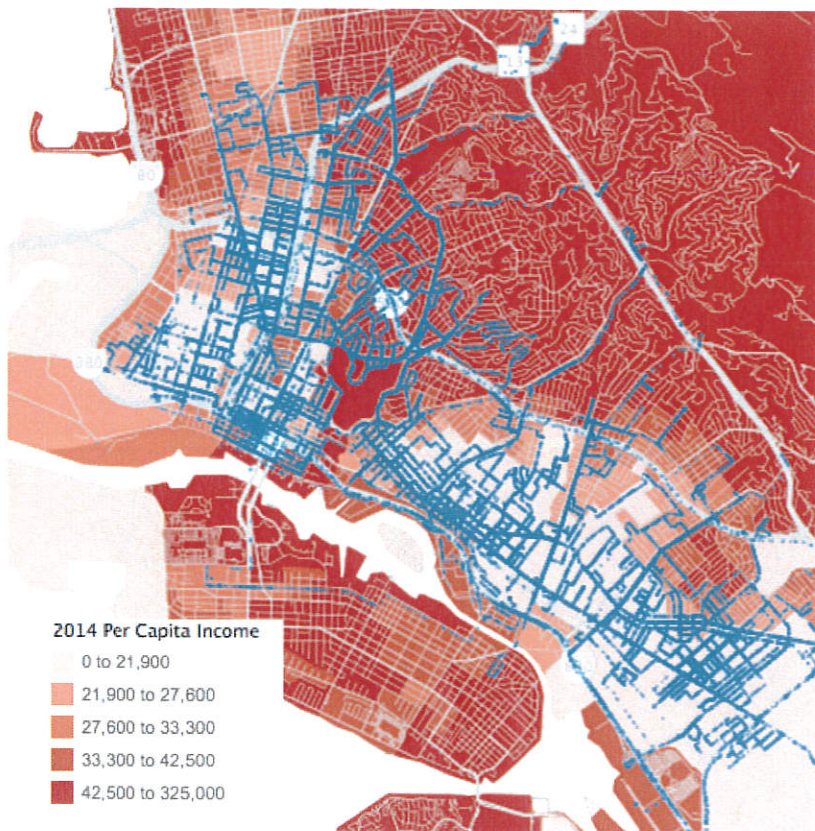
105



International Blvd. and Fruitvale: The same holds true for International Blvd. and Fruitvale Ave. (though some neighboring areas don't seem to be targeted at all).

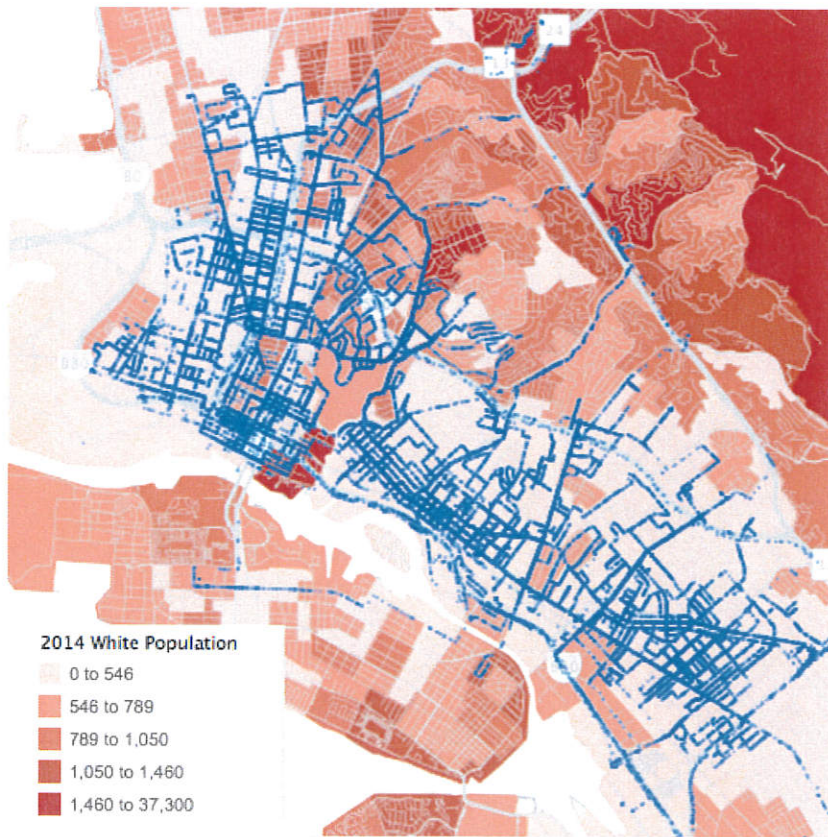
### Surveillance and the Census

Using [Tableau Public](#) mapping software, we mapped the ALPR data over various layers of data from the U.S. Census Bureau. In each of these images, the darker the color, the higher the intensity.

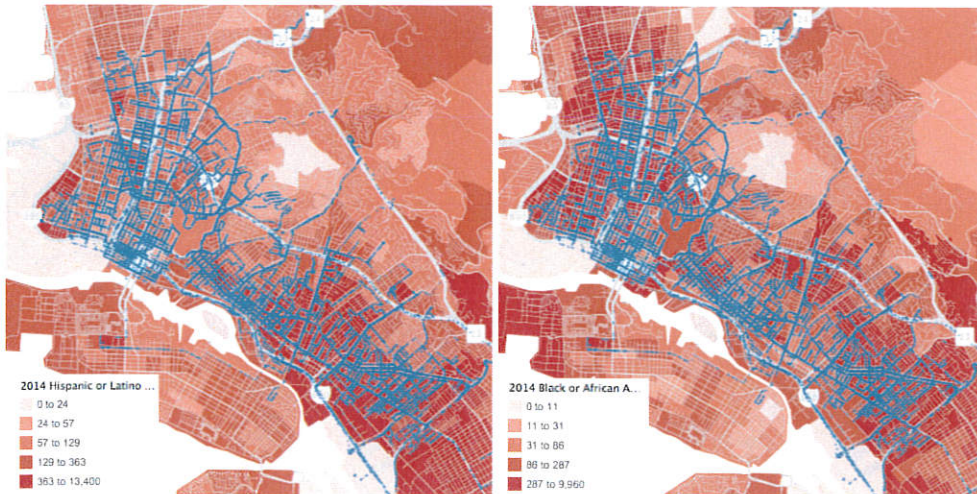


Per Capita Income: The data indicates lower-income neighborhoods are disproportionately captured by ALPR patrols, with police vehicles creating a grid of license plates in the city's poorest neighborhoods.





White Population: Perhaps unsurprisingly, the per-capita data and the white population data significantly overlaps. If you are driving through or parking your car in a neighborhood with a higher density of white families, you are less likely to be picked up by ALPR cameras, particularly northwest of State Highway 13.

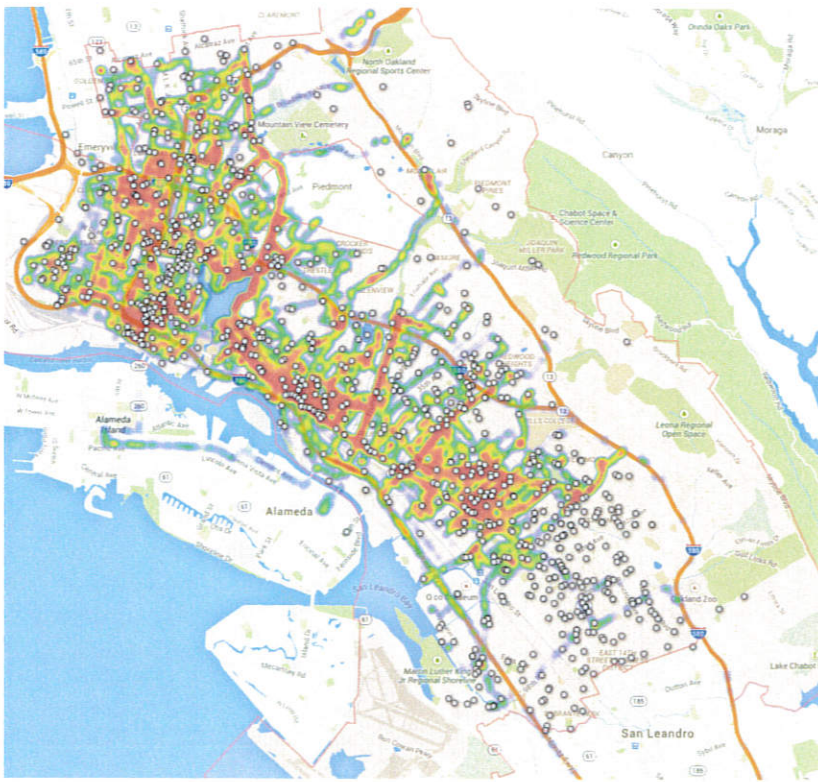


Click images to enlarge.

Black and Hispanic Populations: Overlaying Census data for African-American and Latino populations shows the converse of the white population.

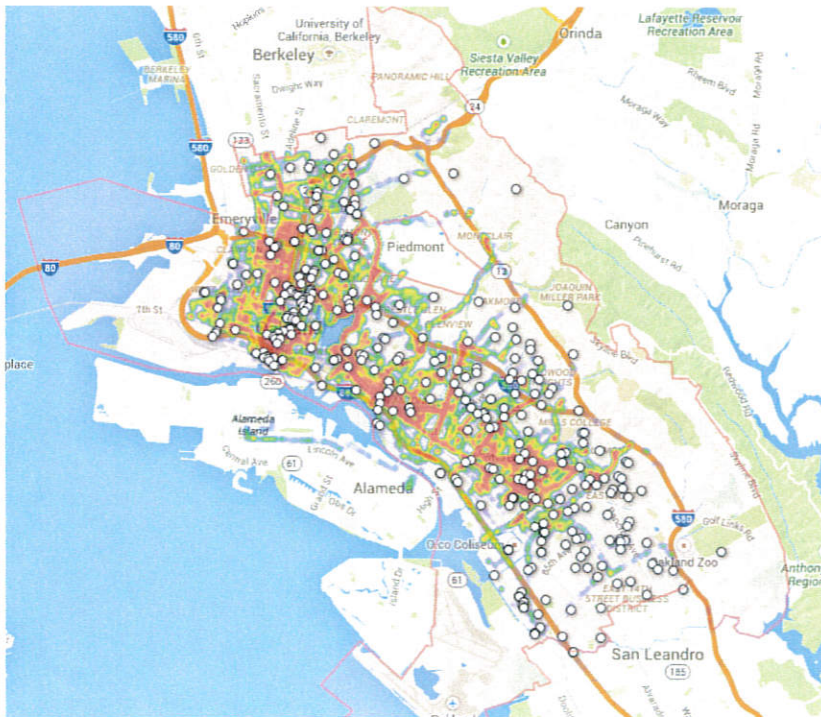
### ALPR Data vs. Crime Data





We also filed a California Public Records Act request to obtain the Oakland Police Department's crime data for the same period. Each white dot here indicates a recorded crime. It's not much of a shocker that ALPR use doesn't correlate very well with crime. For example, OPD did not use ALPR surveillance in the southeast part of Oakland nearly as much as in the north, west, and central parts of Oakland, even though there seems to be just as much crime.

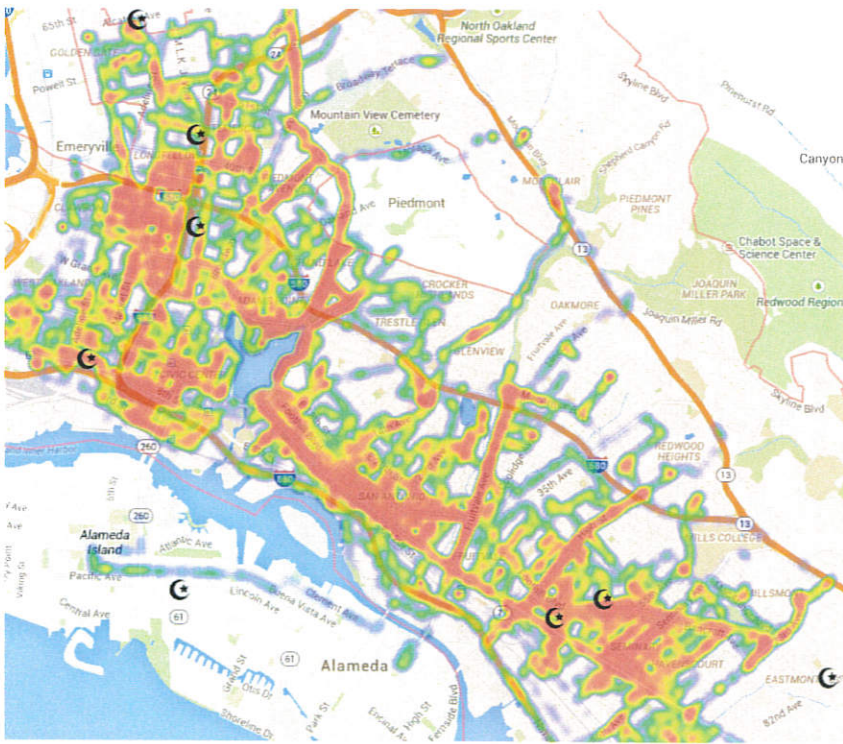
To see if perhaps OPD was just focusing its ALPR use in areas with high incidents of automobile-related crime, we decided to map only the auto-related crime:



The result is the same—ALPRs are clearly not being used to deter automobile-related crimes.

## ALPR and Mosques

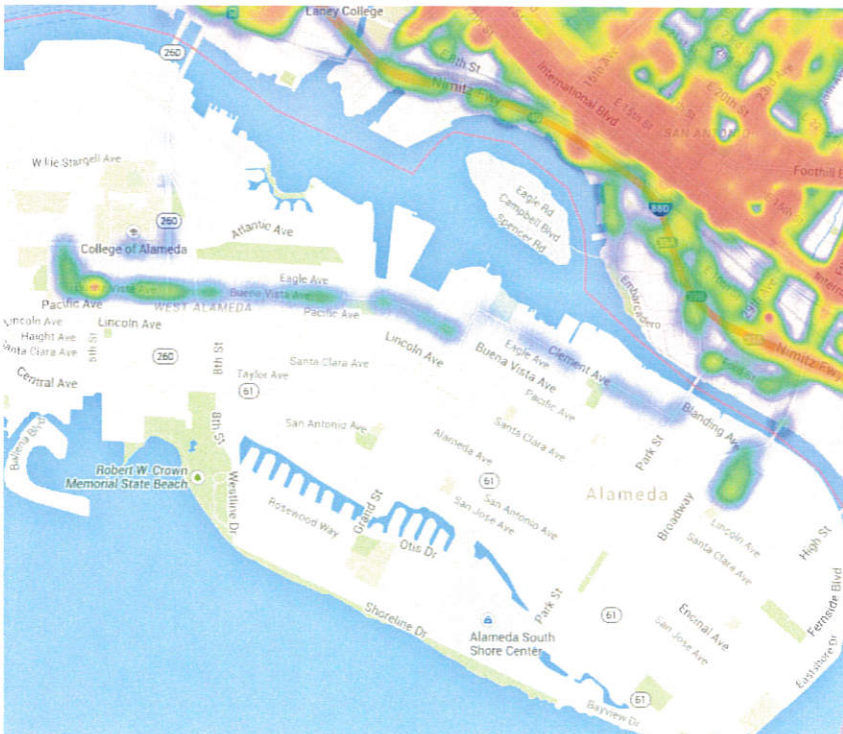




In filing requests for ALPR data, we chose one week of the Islamic holy month of Ramadan to see whether police were using ALPRs to gather intelligence on Muslim populations. When we plotted out mosques on the map, we discovered several were near ALPR hotspots, but there was little in the data to indicate that any particular focus was placed on these places of worship. Future inquiries worth looking into might include gun shops, medical marijuana collectives, abortion clinics, and protests.

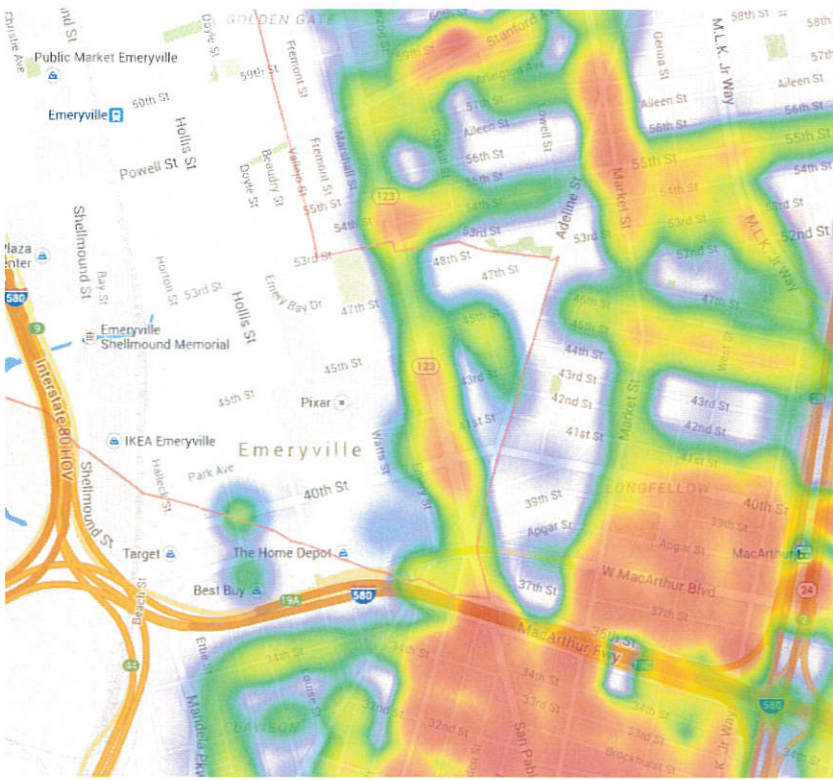
### ALPR Anomalies

Oaklanders aren't the only citizens who should be worried about OPD surveillance. The ALPR data we received also contained instances of ALPR collection outside Oakland's city limits.

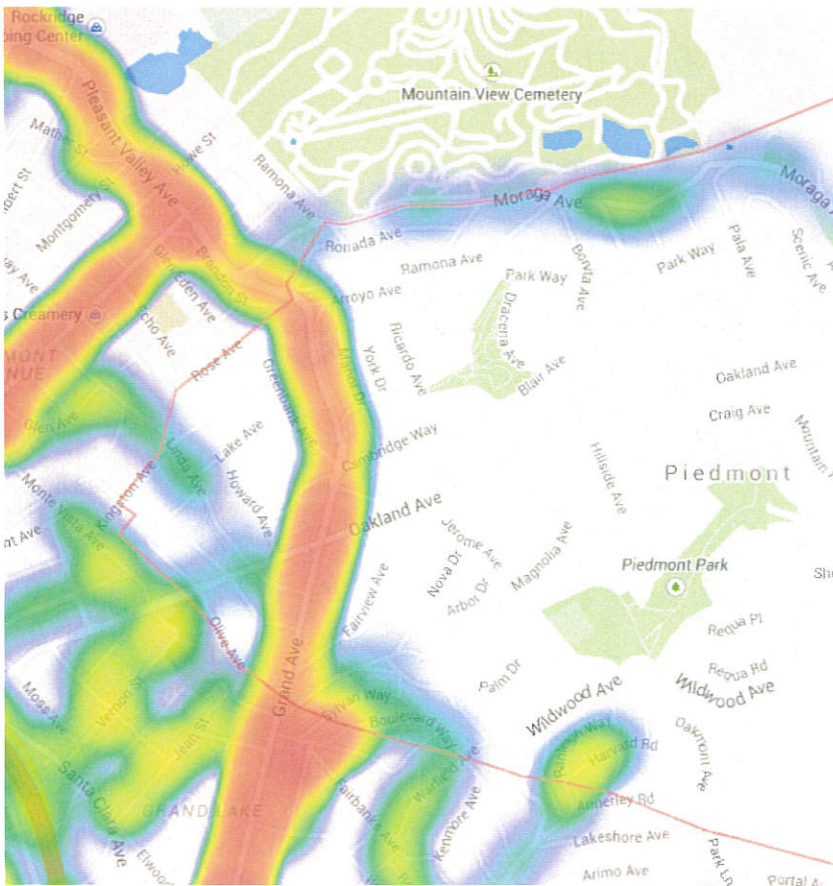


City of Alameda: Alameda is the island to the bottom of the map, and is an independent city. Apparently at least one officer decided to go spy on its citizens.

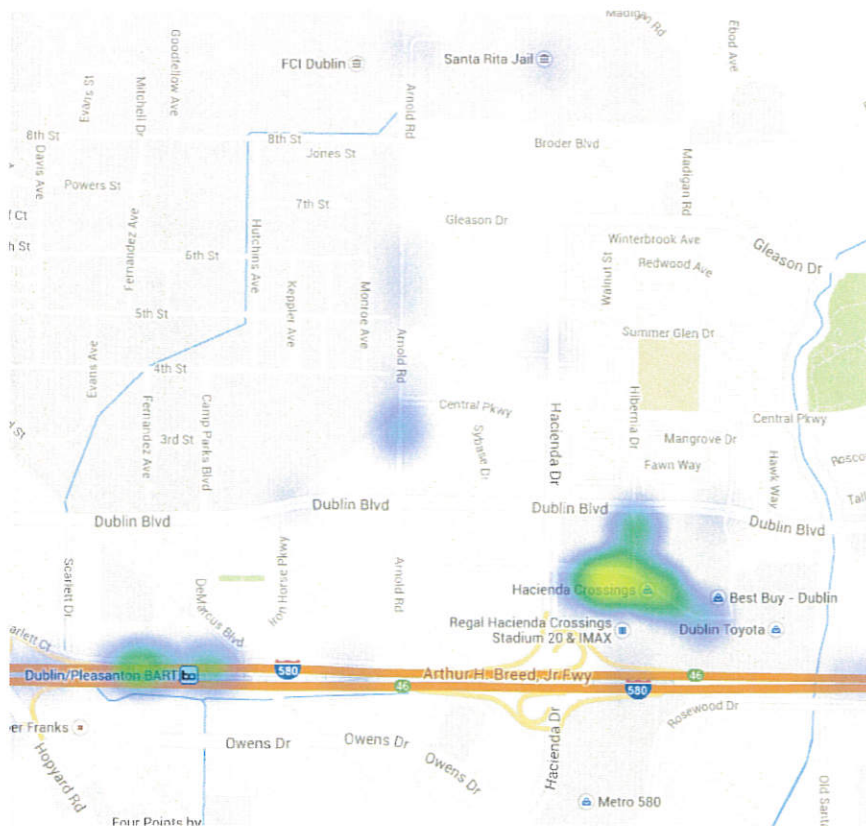




Emeryville: Emeryville is a city that borders Oakland, and is the portion of the map outside the light-pink shaded area. Obviously Oakland PD doesn't think twice about surveilling its citizens when they cut across it.



Piedmont: Piedmont (the central unshaded area) is actually bordered on all sides by Oakland. As with Emeryville, apparently Oakland PD has not been directed to turn off their ALPR surveillance devices when they take shortcuts across other jurisdictions.



Mall Parking Lot: Apparently an Oakland PD officer left his ALPR on while taking a trip outside the city (likely to or from the Santa Rita jail) and stopped at the Hacienda Crossings Mall in Dublin, nearly 20 miles away from Oakland.

## False Positives

ALPRs aren't foolproof. For example, California currently limits vanity plates to seven characters, but many plates with eight characters showed up in the data, including "CROSSWAL," "ROSSWALK," "ROSSINGS," "CAUTIC1N," "CAUTICJN," and "DRIVEWAY." Obviously none of these were actual license plates—in fact, 96 of the entries in the data were simply not possible due to being eight or more characters long. Instead, they were likely read (or misread) from traffic signs.

We also found other likely misreads from signs, including "PLUMBING," "AHEAD," "PRIVATE," "PARKING," "PARKIMG," "ALLOWED," "ORTOWED," "DORTOWED," "ONLEFT," "CAUTON," "CAUT1ON," and four more variations of "CROSSWALK" as well as "ONE WAY." All told, there were 76 entries that were likely misreads from road signs (22 of which were over-length).

In another 95 instances, ALPR cameras captured the license plates, but failed to record any geographic coordinates. Plotted out on a map, it looked like Oakland police were patrolling the ocean off the coast of Africa.

## Don't Take Our Word for It



Want to take a look at the data yourself? Do you have a better analysis method? Want to draw your own conclusions? Please do! You can find the [ALPR data here](#) and the [crime data here](#), both in CSV format, or [here](#) in a Google Fusion Table.

Special thanks goes to Ari Isaak of [Evari GIS Consulting](#) for his help managing the data. All heatmaps were created using the awesome open source [heatmap.js project](#) on top of Google Maps.

Updated 1/22/2014: After publication of this post, we found a couple of off-by-one errors in our analysis. A manual inspection also found many more likely misreads from road signs, increasing the number from 134 to 150. The post was updated to reflect the correct numbers. We have also made small adjustments to the text for clarity that did not affect the facts of the post.

111

# Files

-  [Oakland PD ALPR Data, July 20-27, 2014](#)
-  [Oakland PD Crime Data, July 20-27, 2014](#)

Transparency

## Related Cases

- [Automated License Plate Readers- ACLU of Southern California & EFF v. LAPD & LASD](#)
- [Automated License Plate Readers \(ALPR\)](#)

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[Los Angeles Cops Should Release Automatic License Plate Reader Records, EFF & ACLU Argue in Opening Brief](#)

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[New Ninth Circuit Opinion Calls into Question Blind Reliance on License Plate Camera IDs](#)

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112

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## Lynn Wolter

---

**From:** A Stevens Delk <astevensdelk@gmail.com>  
**Sent:** Friday, April 29, 2016 3:43 PM  
**To:** Vanessa Cordova; Pat Gillette; Rachelle Sherris-Watt; Chuck Toombs; Len Welsh  
**Cc:** Kevin Hart; Lynn Wolter  
**Subject:** Fwd: ALPRs

Dear Directors:

Last year Orinda decided on a one-year pilot program involving 1 mobile ALPR @ \$16,580 and 8 surveillance cameras (not license plate readers) @ \$6,730 total. Here is the link:

<http://www.lamorindaweekly.com/archive/issue0906/Council-Approves-One-Year-Crime-Cam-Pilot-Program.html>.

This is certainly a much less expensive approach to solving crimes that occurred in Orinda and discouraging others from happening. The article makes some valid points.

The "hit" rate for Piedmont's new 39-ALPRs system was 0.028% between December 2013 and June 2014; that is, 99.97% of the plates read were not those of a stolen vehicle, wanted person, etc.

People frequently can get the raw data and use it to track an individual, such as one Oakland City Councilmember.

One woman sued San Francisco after her Lexus was pulled over and she was forced out a gunpoint, all because an ALPR "misread" the plate and identified the vehicle as stolen, although it was her own car and she was not stealing it.

The more I read, the more I believe that ALPRs for Kensington are expensive toys that we should not consider any further.

A. Stevens Delk, Ph.D.

P.S.: Do include this in the May Agenda Packet.





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Published May 20th, 2015

### Council Approves One-Year Crime Cam Pilot Program

By Laurie Snyder

Orinda residents shared a wide range of opinions for and against the installation of security cameras leading up to the Orinda City Council meeting May 5. Some quoted Benjamin Franklin: "Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety." Others seemed less concerned. "I don't think you have a right to privacy in a public space," one resident said. "Just get on board with everybody else because it's going to happen, and it's not George Orwell and all this other stuff. It's just the way the reality of it is today because we're on TV all the time, we're in the public eye no matter where we go."

Once again, council members deliberated whether or not to install security cameras inside city boundaries, and once again they probed the minds of city staff and average citizens as they weighed the sincere privacy concerns of those worried about the government's increasing use of surveillance on Americans against the very real fear felt by those whose homes have been burglarized.

On May 5, the council considered Orinda Police Chief Mark Nagel's latest proposal - a one-year pilot program to install eight Reconyx cameras at Orinda's points of entry and neighborhoods where crime spikes, as well as to equip one police car with automated license plate reader (ALPR) technology which would link that car to county, state and federal databases that, theoretically, would help police catch suspects more quickly.

According to the staff report, the Reconyx cameras would be purchased by the city at a cost of \$6,730 with maintenance performed by a community service officer or other city employee with possible help from volunteers. The ALPR system would be covered by the city's contract with the Contra Costa County Sheriff's Department, and would be purchased from the same vendor used by CCSD and the City of Lafayette - Vigilant Systems - at a cost of \$16,580.

The cameras would be helpful, said Nagel, in the absence of DNA or fingerprint evidence. Reconyx camera data would likely be accessed by Orinda's police immediately after the commission of crimes, but could also be viewed later if residents discover problems after returning from vacation.

The ALPR system would make a difference because it delivers real-time information that is shared by multiple agencies, including the U.S. Department of Homeland Security. "Vehicles associated with wanted subjects are not constrained by city limits," said Nagel. "Vehicles wanted in one city can easily travel through Orinda and by not sharing data, the police and the community at large would never know a vehicle associated with a list of crimes travelled through Orinda."

In response to multiple questions from council members regarding how long the city would be required to retain the photographs and other data obtained from ALPRs and city-owned crime cameras, as well as when and if the photos and data could be subject to public disclosure, city attorney Osa Wolff said the ALPRs would fall under CCSD policies, which requires that records be retained for one year.

Regarding the Reconyx cameras, she said while there "is generally an exception for investigatory files and investigative records so that you cannot use the state Public Records Act to learn about strategies of the police," the law isn't clear whether or not Reconyx camera pictures would fall within that exception. Adding that it's "entirely possible" that the city could be required to disclose the photos to anyone asking to see them, she said state law "probably needs some updating to keep up with the technology that we have today."

Asked by Mayor Steve Glazer if the city would be required to turn over data to anyone who might, for example, use the Public Records Act to request every image captured by a specific camera from a specific Orinda neighborhood, Wolff said, "Folks are entitled to records essentially in the way that we keep them. So, if somebody has a big enough storage device, they could potentially ask for every picture we have, or they could ask for pictures in a certain date range. And if we don't catalogue the pictures by which camera they came from, then we wouldn't be able to deliver the data to them that way. We would only be able to deliver the data in the way that we keep them."

As to the length of retention, Wolff said that one part of the government code states that records must be retained for one year while another section indicates that the city might be allowed to purge photos after 90 days "if the city keeps another record, such as written minutes or audio recording, or other event." Asked whether or not the city could encrypt the data, Wolff said encryption would be prohibited by law if the images are determined to be part of the public record.

During deliberations, Council Members Dean Orr and Eve Phillips advocated for a more limited crime cam program - one that would initially use only Reconyx cameras, saying a smaller pilot would give the city the chance to test the cameras without venturing into the arena of ALPR use, where the city would likely have less control over how data would be shared by law enforcement agencies outside of Orinda.

Vice Mayor Victoria Smith observed that the police chief's proposed crime cam program "has evolved over time, and is well thought out," and noted that, in numerous communications received from the public about the matter, the full pilot program "received significant majority support."

In the end, council members voted to approve the one-year pilot, 4-1, with Phillips voting no, and stipulated that all data obtained from the city's Reconyx crime cameras will be retained for the minimum period of time required by state law.

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Reach the reporter at: [laurie@lamorindaweekly.com](mailto:laurie@lamorindaweekly.com)

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115

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116

## Lynn Wolter

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**From:** A Stevens Delk <astevensdelk@gmail.com>  
**Sent:** Friday, April 29, 2016 9:23 AM  
**To:** Vanessa Cordova; Pat Gillette; Rachele Sherris-Watt; Chuck Toombs; Len Welsh  
**Cc:** Kevin Hart; Lynn Wolter  
**Subject:** Fwd: ALPRs

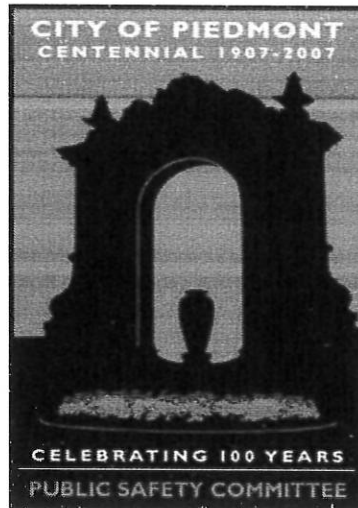
Dear Directors:

I found the Piedmont City Council memo in which purchasing ALPRs was addressed. From this document and others, it looks like Piedmont spent \$700,000 for 39 cameras at 15 locations! And you should be aware that there are other costs, for example, extended 2nd year warranty, monthly Verizon charges. Some of the letters from members of the public are quite informative. Here is the e-ddress (I hope I got it right, damn dyslexia).

<https://www.ci.piedmont.ca.us/html/govern/staffreports/2013-05-06/alpr.pdf>

A. Stevens Delk, Ph.D.

I'll let you decide if it should be included in the May Agenda Packet.



April 19, 2013

City of Piedmont, California  
City Council  
Mayor John Chiang  
Vice Mayor Margaret Fujioka  
Council Member Garrett Keating  
Council Member Robert McBain  
Council Member Jeff Weiler

Re: License Plate Recognition (LPR) system for Piedmont, California

Piedmont Public Safety Committee's Formal Recommendation to the Piedmont City Council To Adopt Option 3 in Police Chief Rikki Goede's Report to the City Council on March 18, 2013

Dear Mayor Chiang and Honorable City Council:

The City of Piedmont Public Safety Committee met on the evening of April 4, 2013 for a regularly scheduled monthly meeting. Our primary agenda item was to provide an open



forum to review in depth Piedmont Police Chief Rikki Goede's presentation to the City Council at their March 18, 2013 meeting that the City consider the purchase and installation of a License Plate Recognition (LPR) system for the City of Piedmont. The Chief's report included three different options to be considered in relation to size of the system, the number of LPR's, and the initial cost. After the discussion ended the City Council directed that consideration be given to Option 3 which includes installing 10 to 12 stationary camera sites and adding 2 mobile LPR's to police cars as a pilot program with the specific sites to be chosen by the police department based upon a determination of the City's key ingress/egress points and areas with the highest frequency of crime.

Since the topic of an LPR system for Piedmont has received considerable publicity, we wanted as many residents as possible to attend the meeting and voice any and all opinions and concerns. Thus, our meeting was noticed to the entire community through all means possible including the local media and the City web site. As a result, the meeting was well attended and the audience fully participated in the discussions.

There was a quorum of committee members present, Dr. Sue Lin, Piedmont Police Sergeant Catherine Carr, Lyman Shaffer, Dr. Greg Young, Dana Sack, Piedmont Fire Captain Scott Barringer, and me, Michael Gardner. Two committee members were unable to attend and were excused: Elizabeth Smegal Andersen and John Ehrlich. Piedmont Police Chief Rikki Goede, Vice Mayor Margaret Fujioka, City Council Member Garrett Keating, and Piedmont City Administrator Geoffrey Grote were also in attendance.



Our committee conducted the meeting in an open forum Town Hall style to allow everyone in attendance to participate in our discussions.

Police Chief Rikki Goede presented the proposal to install license plate readers at selected intersections with the addition of some mobile LPR's for police cars for the purpose of recording vehicles entering and leaving the city. This proposal was considerably reduced in scope from the initial proposal to the City Council for coverage of all entrances to the City at an estimated cost of \$1.2 million not including installation. The Chief explained that this more targeted approach would provide coverage to most of the city traffic while allowing for time to evaluate the effectiveness of the system. The Chief was unable to provide a specific budget figure for this proposal but will have that figure available for the City Council when they next consider the license plate reader proposal at the City Council meeting scheduled for May 6, 2013

The Chief explained that the value of the license plate reader system was to serve as a deterrent by detecting stolen vehicles as well as vehicles suspected on being involved in crimes so that they could be potentially stopped by police officers before they commit crimes here. The system would also allow investigators to follow up after a crime to try and identify suspect vehicles as they leave the city.

The Chief was assisted in her presentation by Louis Vershaw of the 3M Company and Brian Rodrigues from the San Mateo County Sheriff's Department representing the Northern California Regional Intelligence Center (NCRIC) where the data would be stored and accessible only to law enforcement agencies. This center also collects LPR data from a number of police agencies including Oakland, San

120

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Francisco, Walnut Creek, San Leandro, Alameda as well as the California Highway Patrol. Other cities including Emeryville are also actively considering acquiring the system. As a result this could be a powerful tool to assist Piedmont Police in identifying vehicles suspected of being involved in crimes in adjacent jurisdictions that are coming into Piedmont.

The Committee asked questions regarding the reasons for sole sourcing the contract to 3M and was advised that 3M's system has been vetted by both the State of California and by the Department of Homeland Security. 3M's system is also the same system used by the other Alameda County agencies. Moreover, their "back office" software is unique to their system and provides the analytical ability needed to make this tool effective.

Committee members and residents raised the concern of potential privacy issues. The Committee concluded that those concerns were addressed as the data is housed at a law enforcement agency and is accessible only to law enforcement, and then deleted after one year. We noted that 3M does not have access to the data as an enhanced privacy protection.

The Committee unanimously supports Piedmont Police Chief Rikki Goede's Option 3 as stated in her report regarding License Plate Readers to both the Piedmont City Council on March 18, 2013, and the Public Safety Committee on April 4, 2013, and recommends that:

1. The City Council approves the installation of LPR's at 10 to 12 sites in the City as a pilot program.
2. Authorize the installation of two new mobile LPRs in police vehicles.

3. Explore the feasibility of leasing rather than purchasing the LPR camera system.
4. Six months after the system is in full operation the Police Department should report to the Public Safety Committee and/or the City Council on the impact the system may have had on crime statistics in general as well as the number of arrests directly linked to LPR data. Based on that report consideration of expanding the system may be in order.

For any additional information regarding our committee meeting and the discussions that took place, please feel free to contact me.

Respectfully submitted.

*Michael A. Gardner*

Michael A. Gardner  
Chair  
Piedmont California Public Safety Committee

E-mail: [mgardner@siegelsclothing.com](mailto:mgardner@siegelsclothing.com)  
Tel: (415) 824-7729 Ext. 15 ( Days )  
(510) 653-2213 ( Eves. )

cc: Mr. Geoffrey Grote – Piedmont City Administrator  
Mr. John O. Tulloch – Piedmont City Clerk  
Police Chief Rikki Goede  
Piedmont Public Safety Committee

123

**Item #2 – License Plate Readers**

**Correspondence Received before Thursday, May 2, 2013 at 12:00 Noon**

Dear City Councilmembers:

In evaluating whether license plate readers are worth the capital and ongoing investment, and recognizing that such investment takes funds away from other worthy projects in the City, I request that you consider whether the license plate readers are effective in preventing or deterring crime, and then, secondarily, whether they help catch criminals after a crime has been committed. Question that need to be answered:

(1) I gather that the LPRs can quickly identify whether a recorded license plate is on a "hot sheet" of stolen vehicles. Are most crimes committed by criminals driving stolen vehicles? (If no, then the utility of the LPRs is less for prevention; if yes, finding the stolen vehicle after a crime is less likely to find the criminal).

(2) If crimes are committed by people driving stolen vehicles, how quickly do our surrounding cities get the license numbers of stolen vehicles into the database checked by the LPRs? We read that Oakland's limited police force is focused on violent crimes. If so, does it take hours or days for a stolen vehicle's license plates to get in the database?

(3) If crimes are committed in Piedmont by people driving stolen vehicles, how long before they commit a crime does such a person steal a vehicle? Are they stolen the same day that the thief plans to to commit a burglary or robbery in Piedmont? If so, what is the chance that the vehicle's license plate number will be in the stolen vehicle database/

(4) If a crime is committed in Piedmont, and no stolen cars show up through the LPRs, what use does the Police Dept intend to make of the LPR data? Is there a database of former felon's license plate numbers to see if a former felon drove through town that day? Would the Police Dept have the manpower to follow up such leads? What other use could be made of the data to catch the criminal?

(5) What other City projects need funding that will not receive it if the LPRs are funded?

(6) If the funds for the LPR were devoted to hiring another police officer, how many years salary and benefits would be covered by those funds?

I look forward to your deliberations.

Richard W. Raushenbush

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Dear Mayor, Vice Mayor and City Councillors

Thank you for so promptly attending to the fundamental issue of placing License Plate Readers at various entrances to Piedmont, which we are very much in support of. As residents who live very close to the Oakland/Piedmont border, as well as to Scenic avenue ( which has seen much crime activity lately) we urge that you consider placing a

124



License Plate reader at the entrance to Piedmont from Blair/Harbord avenue.  
This will act as a major deterrent to criminal elements entering our city through this vital choke point.  
Additionally we request that you place a prominent street sign at that point indicating that " You are now entering Piedmont" so that intruders may be deterred from entering at all.

Best Regards  
Stavros and Amanda Gougoumis

---

I'm emailing to voice my support for installing License Plate Reader Cameras at each entrance and exit point of the city. Please make this part of the record.

Regards,  
Mary Peek

---

Pls add my name to support for license plate cameras & more street lighting on border streets.

Patricia Markovich

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125

Members of the Piedmont City Council  
Members of the Piedmont Public Safety Committee

Too Much Money, Too Few Facts, Too Soon

Before spending more than \$1 million, the City should research the effectiveness of license plate readers.

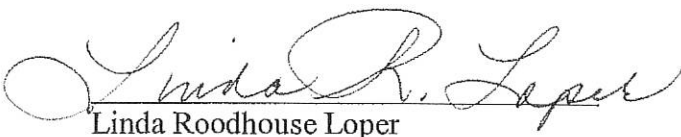
- Is there any reliable evidence that license plate readers reduce crime? If so, what is it?
- What are other less expensive alternatives? How about a cost/benefit analysis of the proposal and other alternatives?
- How would this unanticipated expenditure affect already-budgeted items?

The March 18 staff report implies that buying readers has been decided and it is just a matter of how fast it can be implemented: “The ‘turn key’ approach should be given serious consideration from the standpoint of time and efficiency necessary to complete the project.” (Page 2 of the staff report.) Staff’s outreach to 3M for bids after the Council meeting is more evidence.

Instead of making a decision for the Council by presenting only one alternative, staff should have offered alternatives to the Council for public consideration. The staff report does not precisely define the problem or explain how readers work to reduce crime, and it does not present any alternatives. There is no analysis. The report gives the Council no real choice. Nor does it support its recommendation with any data whatsoever about the effectiveness of the single solution proposed.

It looks and feels as if the decision had been made before the Council even started its consideration in public.

The Public Safety Committee should ask staff for (1) deeper and broader analysis of multiple options to reduce crime and for (2) an analysis of the effect of pulling \$1 million out of the budget for this unforeseen expense—before the Committee reports back to the City Council.

  
Linda Roodhouse Loper

3/28/2013

May 6, 2013 Agenda Item II: Automatic License Plate Readers (ALPRs)

Dear City Council,

I. Automatic License Plate Readers (ALPRs) are not a preventative law enforcement tool.

Chief Goedde referred to ALPRs in a KRON-TV interview: "Its not a crime prevention tool, its more of an investigative tool on the back end." Additionally, Chief Goedde was candid at the PSC meeting that there have been no studies showing a correlation between the implementation of ALPRs and a reduction in crime. Preventative enforcement tools stop crime before it occurs.

I doubt criminal offenders track which cities have a high conviction rate. Criminals likely do not know they are in Piedmont, they are more aware of the apparently higher value "pickings." So implementing ALPRs, while a "feel-good" response to the abhorrent home invasions that occurred recently in town, is at best only a peripheral deterrent tool that may aid in a higher conviction rate at a significant financial cost.

II. Emphasis and resources should be allocated to what prevents crime before it occurs.

More police patrolling and current officers patrolling more vigorously are preventative measures. Council is to be commended for authorizing forward Police hiring and generally there is a perception that PPD is patrolling more vigorously. Instead of using the funds for the ALPR, put another patrol officer on where crime is most concentrated.

Baja Piedmont has taken the lead in organizing neighborhood watch groups; hopefully the rest of Piedmont will follow in organizing neighborhood watches. Neighborhood Watch Groups can be uniquely effective given the relatively homogeneous nature of Piedmont's populace; neighbors know neighbors.

III. Other troubling issues with the ALPR process.

A single company was contacted who then became the ad hoc consultant creating the specifications and then bid on their plan. This is not a robust RFP process.

The company chosen does not have a guaranteed camera percentage read rate.

The fictitious editorialized reporting in the City Hall Print Media Outlet (CHPMO) states that privacy issues are only the concern of those outside Piedmont; this reporting is malicious nonsense and a copy of the US Constitution should be provided to the Post's staff. Because the Digital Age has reduced privacy expectations, we must be ever more vigilant in protecting our Constitutional Rights. The City intends policy to be that protection; many instances of failed Policy in Piedmont (the PHUUD debacle, the Crest Road gifting of the sewer fund, withheld reports on Blair Park and signed reimbursement agreements with PRFO not being enforced) suggest that Policy may again fail residents with misuse of ALPR information.

IV. Spend taxpayer money on what is directly preventative, more Police patrols and active involvement with neighborhood watch groups.

Respectfully,

Rick Schiller

127

## **Item #2 – License Plate Readers**

### **Correspondence Received before Monday, May 6, 2013 at 4:00PM**

On January 21, 2013 two Piedmont families were victims of a violent "take-over" home invasion robberies by gun point. BULLETS were fired at them! Home invasions, crime and its impact has escalated over the years in Piedmont and especially along our city border-line with Oakland. Over the years "Proactive Patrolling, Police Presence, Response and Chase" along Piedmont's 24 entry points and high crime Baja neighborhood's has diminished to unacceptable levels.

Piedmont police.....willingly....."broke off chase"..... of the home invasion suspects. At the February 12, 2013 public meeting, Chief Rikki Goede admitted: Piedmont's police department policy is.....NOT TO CHASE CARS OR SUSPECTS.

The City of Piedmont website states: "**Patrol is the Backbone of Policing**" There are over 7500 law enforcement agency's throughout the United States. Many of them proudly agree and say the exact same phrase that "patrolling" is the backbone of policing.

#### **How much time can officers devote to patrolling?**

**Answer:** Responding to assigned calls and conducting general surveillances by "patrolling" are the two most time consuming sorts of patrol activities. In most places assigned calls take considerably less than half of officers work time. Patrolling the beat usually takes a higher proportion of time. (Whitaker Study 1982)

On the average, about 5 hours of an officers 8-hour shift are spent at the officer's discretion, while 3 hours are spent on assigned tasks. (US Dept. of Justice-National Institute of Justice)

#### **How many miles should patrol officers drive-per shift?**

**Answer:** There are 1000's of rural & metro law enforcement agency's in the United States.

The "miles driven" answer is derived & recognized in several ways. Most large (spread-out) police departments have no minimum or maximum driving expectations (miles) of their patrol car officers. Their patrol officers will be patrolling 100's of miles. But, the smaller departments (under 20 officers) tend to have unwritten policy's and practice's related to minimizing or maximizing mileage patrol goals. There are frugal police department's that mandate their patrol vehicle's sit idle for 10 minutes of each hour to save on high fuel costs.

Less patrolling miles, result in less arrests and less impact to the city's overall budget. But, reading the law enforcement literature, surveys, and studies, the general accepted rule & practice is a metro patrol officer should be "patrolling" 8 miles for each hour worked. If a patrol officer in Piedmont works 10 hours then his/her odometer should register and record 80 more miles on that vehicle. A large segment of patrol officers across the country, routinely clock in, as many as 100-150+ "patrolling" miles per work shift.

(officer's.com, realpolice.net, policechiefmagazine.org)

128

**How many miles has Piedmont police cars been patrolling?**

**Answer:** Piedmont replaced several of its patrol police cars in 2010. They had been used for 51 months and the average mileage on each car was 45,000 miles. So Piedmont patrol cars had been driven a average of 29 miles per (24 hour) day. In a 24 hour period this is 1.2 miles per hour of patrol function. Human walking speed is about 3+ miles per hour.

**Conclusion:**

Police officers and Command Staff are compensated quite well in Piedmont considering the small size of the City. The compensation packages include lucrative Pension and Benefits which are unsurpassed in California. Given the cost, the Department should adhere to the "**recognized**" standard that "Patrol is the backbone of policing". The law enforcement patrolling expectations in Piedmont should match the minimum practices in use across the country. Piedmont's small footprint of 1.658 sq. miles and nonexistent traffic congestion creates a unique situation of straightforward and uncomplicated Police patrol capability.

City Administrator Grote & Chief Goede need to prepare a new "policy" paper and directive as to "Patrolling Practices, Expectations & Recording" of all Piedmont patrol officers.

This new "Patrolling" directive should include and outline these minimum requirements:

1. Patrol officers will log/record odometer readings at the start & end of each day work shift.
2. PPD (Chief Goede) will collect data and prepare/present monthly accounting log and report of the total miles driven by "all" patrol cars, areas driven, responding to calls, etc.....
3. All collected patrol data information will be posted on the City's website.

License plate readers are a bureaucratic gimmick to give tax-payers a false sense of security.

There is no substitution for proper (pro-active) police patrol on the street.

Piedmont should direct & invest its limited resources on proper police patrol procedures and hiring another patrol officer.....for the street.

Thank You  
Neil Teixeira

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Dear City Council Members:

I am sorry to be writing you so late, but I have been travelling a lot and just haven't had time to sit down and give you my thoughts on this important fiscal and crime issue.

I am very concerned that the positive response to License plate readers is a knee jerk response to our crime increases without sufficient study or documentation to determine if they in fact have any positive effect upon crime prevention or arrests. Early



on, Chief Goede testified in front of you indicating that in Claremont, CA. they installed readers throughout the city. She gave statistics of 26 and 22 million "hits" over two years (2012 and 2011) with 166 arrests over that period. That is statistically irrelevant. **It is 0.000003 arrests per hit.** Statistically, there could have been that many arrests with or without the readers in place. Crime is certainly a concern in town, but we don't know if we had an unusual number of incidents in a short period or if it is really getting worse.

Please don't make a significant financial mistake and proceed with the readers without more information. Unfortunately, Piedmont has had a record of "ready, fire, aim" which resulted in financial disasters over recent years including undergrounding expenditures and unreimbursed Blair Park costs. Both of those could have been averted with proper oversight, documentation and research.

Let's not let this happen again. I urge you to study this situation more and get better facts and research before spending such a significant amount of money. Just because the City coffers are flush right now is no reason to spend money foolishly. There may be better and more efficient ways to control our crime issues.

Very truly yours,

Joseph Hurwich, CPA

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**City of Piedmont  
COUNCIL AGENDA REPORT**

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DATE: May 6, 2013  
FROM: Rikki Goede, Chief of Police  
SUBJECT: Update to Council and Community on License Plate Readers

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RECOMMENDATION

Provide direction to staff on next steps

DISCUSSION

On March 13, 2013, the City Council directed the police department to obtain a budgetary quote on what it would cost the City of Piedmont to install License Plate Recognition systems at 10 to 12 sites as determined by the police department based on major points of ingress/egress, as well as ingress/egress points in higher crime areas, and combine the fixed License Plate Recognition sites with additional mobile capabilities, such as additional patrol cars outfitted with cameras. This memo outlines the updated proposal specifics and budgetary cost analysis provided by 3M.

BACKGROUND

As previously reported, a total of 24 ingress/egress points were determined to exist between the cities of Piedmont and Oakland based on both the identification of streets and intersections on a map and actual physical site examinations by the vendor, as well as members of the police and public works departments. Public Works Director Chester Nakahara, Louis Wershaw of 3M, and I conducted a second site review of each street/intersection to determine how best to scale back from the original 24 sites while maintaining optimum camera placement in order to cover major ingress/egress points as well as ingress/egress in higher crime areas. In order to ensure the most beneficial placement yet remain within Piedmont boundaries, it was necessary to modify some previously selected sites.

Ultimately, we identified a total of 15 sites for installation of LPR cameras. Although higher than the 10 to 12 sites originally sought, the 15 sites identified provide the greatest coverage while still eliminating nine sites. It is understood, however, cost may still be a prohibitive factor and, as such, an attachment is provided that ranks the priority of the sites as determined by the Department with one being the highest priority and fifteen the lowest. While the intersections themselves are not named, the individual cost of each site is listed for informational purposes.

The updated budgetary cost analysis and equipment descriptions provided by 3M is outlined below:

- A total of 39 cameras are needed: 19 Spike HD P-382 and 20 Spikelet Plus P-392 Both are high-resolution cameras, but the primary difference is in field of view with the P-382 delivering an 11-foot field of view for wider, multi-lane streets versus the P-392 that is lower wattage and delivers a 5-1/2-foot field of view more conducive to narrower, two-lane streets.

Cost: \$464,800.00

- Each camera requires a system interface box and a 4G cellular router chip for wireless capabilities; therefore, a total of 20 system interface boxes and 20 chips would be required, each of which would incur an on-going monthly fee as determined by the City's current wireless provider (Verizon).

Cost: \$45,840.00

- Mounting bracket assembly and hardware for 39 cameras

Cost: \$21,684.00

- Electrical installation, traffic control for installation, and estimated PG&E access fees (3M is providing a turnkey service in which they are responsible for the overall project including all electrical sub-contract work)

Cost: \$64,690.00

- Labor to aim and commission cameras; six training sessions for PPD personnel; engineering; and a built-in contingency (\$10,000)

Cost: \$31,000.00

- Freight and sales tax

Cost: \$45,259.92

**Total Cost: \$673,273.92** (Total reflects 20% discount provided by 3M)

ADDITIONAL OPERATING COSTS

This quote includes a one-year warranty provided to the City at no cost. Additionally, 3M is providing an optional one-year extension to that warranty for \$48,100.00. The above quote does not include any additional mobile options. Although a quote has been obtained to outfit two additional patrol vehicles, the Department has experienced cellular connectivity issues with the current vehicle that we would like to fully resolve prior to supplementary mobile implementation. It is important to note, the connectivity issues are a result of poor signals as the vehicle moves in and out of lower coverage areas and would not affect the fixed sites.

Also not included in the above analysis are the Verizon monthly internet/cellular fees of approximately \$38.00 a month per chip. Although there are 39 total cameras, some of the cameras proximity to each other will allow for shared cellular connection through the same chip. Thus, 20 chips at \$38.00 a month would cost the City approximately \$760.00 a month in connection fees.

A final operating cost for consideration are maintenance issues that may, from time to

time, occur that are not included in the warranty. These would include damage or camera movement as a result of natural conditions such as high winds or lightning, as well as man-made conditions such as workers inadvertently cutting cables or acts of vandalism. These incidents, while infrequent, have occurred in other jurisdictions that utilize fixed license plate camera systems.

### ADDITIONAL INFORMATION

On April 4, 2013, the License Plate Recognition proposal was brought to the Public Safety Committee for the committee's input. The committee unanimously supported moving forward with the project; however, committee members wanted to know if leasing the cameras was an option. 3M has never directly leased their equipment to anyone. Businesses and municipalities have, however, used a third party leasing firm to purchase the equipment from 3M. The leasing company in turn leases the equipment to the business or municipality, in essence financing the project and allowing the municipality to spread the payments over several years with the municipality eventually owning the equipment. Ultimately there would be no real cost advantage to the City by leasing as opposed to buying.

Finally, it is important to recognize the concerns a project such as License Plate Recognition systems brings to a community with regard to retention of data and policies and procedures that govern how that data can be used. As stated at the March 13 council meeting, the Department currently utilizes the Northern California Regional Intelligence Center (NCRIC) for our mobile ALPR unit and will continue to do so with the fixed camera sites. The ability to utilize the NCRIC for data storage eliminates the need to purchase server hardware and software licenses and all maintenance, upgrades, and backups are handled through the NCRIC. More importantly, the NCRIC allows access to a greater pool of LPR data from neighboring agencies as well as expanded hot sheet information.

Presently, there is very little in the way of legally binding regulations for license plate reader data. The most commonly known set of regulations governing use and retention of data is 28 Code of Federal Regulations Part 23 (28 CFR Part 23) which applies to criminal intelligence. Although LPR data is non-criminal data, the Department and NCRIC believe the stricter principles are in line with erring on the side of caution to protect privacy and civil liberties. The 28 CFR Part 23 principles include:

- The data is only accessible by law enforcement with a "need to know and right to know"
- Secure storage of data
- Detailed audit of all access and use
- Regular review and purge of content

Additionally, 28 CFR Part 23 specifies data containing personally identifiable information may be retained for one year, then must be purged if no nexus to criminal activity is discovered. Although license plate recognition data has no personally identifiable information and, thus is not subject to this purge requirement, the NCRIC and the Department have chosen to err on the side of privacy protectiveness and purge the record after a year. A retention period less than a year would severely compromise the

Department's ability to conduct follow-up investigations, respond to Amber Alerts, missing persons, or any investigative follow-up involving a vehicle, thereby reducing the effectiveness of the tool in which the City has invested. Additionally, the Department would adopt a strict policy and procedure for police personnel to follow that would include, but not be limited to the following:

- The use of LPR cameras
- Training requirements prior to being able to use the system
- What constitutes official use including specific circumstances in which LPR data can be used
- Proper reporting of information obtained through LPR cameras
- Discipline, up to and including termination, would be imposed for any policy violations

### ATTACHMENTS

Site Prioritization and Cost



PRIORITY	COST	CUM.TOTAL
1	25,565.36	25,565.36
2	32,497.36	58,062.72
3	78,699.88	136,762.60
4	84,432.76	221,195.36
5	38,729.36	259,924.72
6	50,386.76	310,311.48
7	33,232.36	343,543.84
8	41,769.36	385,313.20
9	77,521.00	462,834.20
10	32,862.36	495,696.56
11	38,984.36	534,680.92
12	38,984.36	573,665.28
13	20,827.88	594,493.16
14	20,877.88	615,371.04
15	20,827.88	636,198.92

636,198.92

37,075.00 (Commissioning, Training, Contingency & PG&E Access fees)

TOTAL 673,273.92

135

## Lynn Wolter

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**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Monday, May 02, 2016 5:10 PM  
**To:** Len Welsh GMail; Chuck Toombs; Pat Gillette; Rachelle Sherris-Watt; Vanessa Cordova  
**Cc:** Lou Ann Texeira; Lynn Wolter  
**Subject:** 2 line items in the budget, alpr, and body cams

Dear Board Members,

I am writing because I take offense that these 2 items at \$90k (body cams and license plate readers) have been included as line items in the proposed budget, and I request that they be removed. This is clearly not how special districts, cities and towns create a budget regarding new technology or equipment to my knowledge. These two items are putting the cart before the horse, and I would like to know who authorized them to be included? Was this Mr. Hart? The complete or part of the Finance Committee? Or both?

How can they be included in the proposed budget which was no doubt prepared a month or more ago, and then in the April Agenda they are referred to with the following information:

"This staff report will discuss two separate items of potential interest to the residents of Kensington. **The discussion is for informational purposes only at this time.** However, based on comments from the Board of Directors, and or the public, there may be interest to conduct further research, hold public forums, and provide the board with potential options for **possible implementation.** "

Here is a perfect example of... **not meaning what you say.... and doing what the heck you want to do!** Interesting there is no mention whatsoever of a cost benefit analysis, how this impacts the proposed budget, what other items will or may need to be eliminated as a result, what are the operational costs, and it goes on. And, inexplicably, I will remind everyone that we still do not have an audio system on order over one year later, which would permit the residents to hear the board directors and residents in recordings, and at meetings.

But more importantly, it points out to me how far adrift this majority board has gone, when the board members reportedly have no idea whatsoever what the chief of police is doing, and the GM is completely absent from the process, because there is clearly no other view, financial impacts etc, other than the law enforcement view.

Something is very wrong with this picture of governance, the total lack of raising this with the public first, the policy being written in the present tense to indicate it is already accepted, and then posted, and the fact that privacy issues have not been addressed... when the police department has been accused of following residents, board directors, and potentially accessing their DMV information illegally for years. How many people left town after being harassed?

This is very serious and a clear indication that there is NO communication between the board and the icgmcop, no meaningful and honest communication between the parties and the public, and what we have effectively is thumbing the nose at the public by all who knew.

Regarding body cameras, when the police have 78% down time or greater per the Brown Audit, what will the cameras be filming? Trips to buy Red Bull by Barrow? Will they turn the cameras on when they are sitting in the cars watching the school? Please, lets get real here, we do not have a high crime rate, what we need are police patrolling the streets.

Body cams and ALPR will not solve our problems, honest cops patrolling the neighborhoods, not tracking residents, and performing traffic control would better serve us. Cops who are invested in community policing, are what we need.

I request again that these line items be removed from the budget. And again I state that Mr. Hart is not qualified, nor the best candidate for the interim position, and can not support a new contract in June .

Sincerely,

Marilyn Stollon

pls include in the record

## Summary of Key Economic Provisions

### 1. Term of Agreement

- a. 42 month duration (3.5 years), effective July 1, 2014 through December 31, 2017

### 2. Wages

- a. There shall be no wage increase from 7/1/2014 through 2/29/2016
- b. 3/1/2016: 3.0% across-the-board increase + \$1,000 non-recurring lump sum payment
- c. 3/1/2017: 3.0% across-the-board increase

### 3. Employer-Paid Member Contributions ("EPMC") for "Classic Members" will be adjusted as follows ("New Members" are not eligible for EPMC under PEPR):

- a. 3/1/2016: Employees will contribute 2.0% / District contributes 7.0% EPMC
- b. 3/1/2017: Employees will contribute 4.0% / District contributes 5.0% EPMC

### 4. Active Employee Medical

- a. Effective 1/1/2017, all employees are required to contribute \$85 per month toward the cost of healthcare regardless of coverage level selected. The District will contribute a maximum of the Kaiser Bay area premium for EE only, EE + 1, or EE +2 coverage, less the minimum \$85 employee contribution. If an employee elects a plan that costs more than Kaiser Bay area premium, they will be responsible for the \$85 contribution plus any amounts above the District's maximum contribution. If an employee elects a plan that costs less than the Kaiser Bay area premium, they will be responsible for the \$85 contribution regardless of coverage level selected.
- b. No change to existing vision or dental cost sharing for duration of agreement.
- c. Effective 6/30/2017, all employees are required to contribute a minimum of \$125 per month toward the cost of healthcare regardless of coverage level selected. The District will contribute a maximum of the Kaiser Bay area premium for EE only, EE + 1, or EE +2 coverage, less the minimum \$125 employee contribution. If an employee elects a plan that costs more than Kaiser Bay area premium, they will be responsible for the \$125 contribution plus any amounts above the District's maximum contribution. If an employee elects a plan that costs less than the Kaiser Bay area premium, they will be responsible for the \$125 contribution regardless of coverage level selected.

### 5. Retiree Medical

- a. In accordance with CalPERS requirements, eligible Retirees will receive the same medical contribution as Active employees.

### 6. Holidays

- a. Upon ratification by the KPOA and approval by the KPPCSD, the District will change the "birthday holiday" to "Caesar Chavez Day."

### 7. Safety Equipment

- a. No change to existing language (\$250/yr. up to \$750 over duration of contract).





Office Report prepared by Marty Westby, Administrator  
Kensington Community Council Board Meeting  
May 2, 2016

### **KASEP:**

KASEP Spring session ends Friday, May 27th. Teacher staff meeting was held April 19th; we discussed end of year close out procedures and planning for FALL session.

FALL KASEP registration is scheduled for Tuesday, September 6<sup>th</sup> and the first day of KASEP classes is Monday September 19<sup>th</sup>.

It is confirmed Hilltop Elementary School's Kindergarten, starting fall 2016, will be an all-day kinder, starting at 8:15am and ending at 1:30pm. This impacts current KASEP kinder classes. KCC will offer kinder classes in the fall; the timing is under review with a decision and a plan going forward no later than the end of June.

### **KCC Classes and Events:**

Jazzercise class taught by Kevin Knickerbocker, Monday through Friday mornings, 8:15am – 9:15 continues throughout the summer months. Body Sculpting, Tuesday and Thursdays from 9:15 – 10:15am, also taught by Kevin, is an ongoing class and will continue through the summer months. Both classes are taught at the community center.

Acrylic artists will take a break for the summer, ending May 25<sup>th</sup> with plans to resume early September.

### **KCC Summer Day Camp**

KCC Summer Day Camp on-line registration continues. The online registration system is running smoothly, and families are enrolling as they firm up their summer plans. As of April 26<sup>th</sup>, 354 spaces are filled (up about 40 registrations from same time-frame April 2015); Week 1 is full. This year we are offering 10 weeks of camp. Last day of summer camp is Friday August 19<sup>th</sup> with school starting on Monday, August 22<sup>nd</sup>.

Camp counselor candidates were interviewed and ten selected to become the 2016 counselor team! A number of counselors are alumni from Kensington Elementary School and past KCC camp campers. Ethan Houser is returning as Camp Director and Heather Bates returning as Head Counselor. Camp staffing is complete.

Counselor Orientation is Sunday, June 12<sup>th</sup> and camp starts Monday, June 13<sup>th</sup>.

### **KCC Administrative:**

Tradition continues as the annual "Senior High School Graduate" photo takes place on Sunday, May 1<sup>st</sup> at 3:30pm for pizza and 4:00pm the photo shoot. This photo will be submitted for publication in the June Outlook.

# May 2016

May 2016							June 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30		
29	30	31											

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 1	2 7:00pm **Cub Scouts** (CCM) 7:00pm KCC Mtg (CC3)	3 7:30pm *Boy Scouts (CCM) 7:30pm KIC (CC3)	4 7:00am AA (CCM)	5 7:00pm Ad Hoc Mtg (CCM) 7:15pm EBC (CC1)	6 4:00pm FKL Book Sale (CCM)	7
8 FKL Book Sale (CCM)	9 6:00pm KPSC (CC3) 7:00pm **Cub Scouts** (CCM) 7:30pm KARO Mtg (CC3)	10 8:00am 7:30pm *Boy Scouts (CCM) Wilson FTO UPDATE - Andrea Di Napoli	11 7:00am AA (CCM) 6:00pm *GPFF (CCM) 7:00pm *KFD Mtg (CC3)	12 5:00pm 6:00pm KPFCSD Mtg (CCM)	13	14 9:00am KPOA (CCM)
15	16 6:00pm Ad Hoc Committee (CC3) 7:00pm **Cub Scouts** (CCM)	17 Driving Force Option - Barrow, Wilson, Ramos, Martinez & 7:30pm *Boy Scouts (CCM)	18 7:00am AA (CCM)	19 Stegman @ NIC Testing (CCC Lab) - Andrea Di Napoli 7:15pm EBC (CC1)	20	21
22 2:30pm Recital (Amptn)	23 7:00pm **Cub Scouts** (CCM) 7:30pm *KIC (CC3)	24 7:30pm *Boy Scouts (CCM)	25 7:00am AA (CCM)	26	27	28
29	30 7:00pm **Cub Scouts** (CCM)	31 7:30pm *Boy Scouts (CCM) 7:30pm *KWAC (CC3)	Jun 1	2	3	4

51

# June 2016

June 2016							July 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 29	30	31	Jun 1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	Jul 1	2

24