



# Kensington Police Protection and Community Services District

## **A G E N D A**

Thursday, June 13, 2019

52 Arlington Avenue, Kensington, California

### **NOTE CHANGE IN MEETING LOCATION**

Special Meeting – Closed Session 6:30 P.M.

Regular Meeting: 7:30 P.M.

1. **Call to Order/Roll Call – 6:30 P.M.**
2. **Special Meeting: Closed Session – Public Comments:** Members of the public may address the Board on items listed on the agenda. Please observe our **three-minute** per person limit and twenty-minute total limit, per Board Policy 4120.4.3..
3. **Adjourn to Closed Session**
  - a. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6) Agency designated representatives: Jonathan Holtzman Employee organization: KPPCSD Police Officers Association
  - b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code §54956.9 (d)(4) Initiation of litigation (1).
4. **Regular Meeting – Call to Order/Roll Call 7:30 P.M.**
5. **Public Comments:** Members of the public may address the Board for up to **three-minutes** on items not listed on the agenda but that are within the jurisdiction of the District. Comments on matters that are listed on the agenda and requiring Board action may be made at the time the Board is considering each item. Please observe our **three-minute** per person limit and twenty-minute total limit, per Board Policy 4120.4.1.

**Note:** Items that are informational only and that used to appear as part of the Consent Calendar have been moved to the agenda packet's addendum. Public comments about such items made be made at this time.

To comment on agenda items, please complete speaker cards and submit them to staff.

6. **Honoring Kensington Eagle Scouts from Troop 110 and 104**
7. **Consent Calendar**
  - a. Minutes of May 23, 2019 meeting
8. **Board/Staff Comments**
9. **Old Business**
  - a. Discussion of possible response to May 15, 2019 letter from Kensington Fire Protection District concerning legal option to build Public Safety Building in Kensington Park (for action)
    - i. Agenda report
    - ii. May 15, 2019 KFPD Letter
  - b. Authorize General Manager to execute three change orders with KCK Builders to replace floors in Meeting Rooms 1 & 2 and fulfill a detailed lighting plan. Estimated total cost is \$37,000. An oral report will be made at the meeting. (for action)
    - i. June 10, 2019 Letter from Glass & Associates

## 10. New Business

- a. Fiscal Year 2019/20 Budget.
  - i. Agenda Report
  - ii. FY2019/20 Budget
  - iii. Resolution 2019-08: A Resolution of the Board of Directors of the Kensington Police Protection and Community Service District Adopting the Budget for Fiscal Year 2019-20. (for approval)
- b. Annual Supplement Special Tax for Police.
  - i. Agenda Report
  - ii. Resolution 2019-11: A Resolution of the Board of Directors of the Kensington Police Protection and Community Service District Establishing the Annual Supplemental Special Tax for Police Protection. (for approval)
- c. Revisions to Policy and Procedure Manual Section 3000 (first reading)
  - i. Agenda Report
  - ii. Draft Revised Policy Section 3000
- d. Annual Appropriations Limit.
  - i. Agenda Report
  - ii. FY 2018-19 Appropriations Limit Calculation Worksheet
  - iii. Resolution 2019-09. Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Affirming the Establishment of the Appropriations Limit Applicable to The District During Fiscal Year 2019-09. (for approval)

## ADJOURNMENT

Our next meeting will be June 27.

## Rules of Decorum at Meetings

- Persons wishing to speak shall line up on the left side of the room. **Each speaker can speak for up to three minutes on any one item.** If there are several speakers, please try to be brief to give others the opportunity to speak.
- All persons wishing to speak shall do so at the podium and address their comments to the Board.
- Each member of the public attending the meeting has the right to speak during the public comments period. If the allotted time for public comments has been reached, we will begin the meeting and allow for additional public comment on items not on the agenda but within our jurisdiction after the business portion of our meeting.
- Each member of the public attending the meeting has the right to comment on each item on the agenda. However, the Board President may restrict the number of times that an individual may speak on the same agenda item as necessary to ensure that all persons wishing to comment on that item are heard and that the meeting proceeds in an orderly fashion.
- If any meeting is willfully interrupted so as to render the orderly conduct of the meeting unfeasible, the Board President may order the person or group of persons causing the disruption removed.
- If removal of the person or group of persons causing the disruption of the meeting does not restore order, the Board President may order the room cleared of all members of the public except members of the media and proceed to address the remaining items on the agenda.

## General Information

- All proceedings of the Open Session will be audio recorded and, if the equipment works, video recorded.
- The Community Center has devices for hearing assistance. Please contact GM Anthony Constantouros for information about the equipment.
- The Community Center is Wi-Fi accessible.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at

least two days before the meeting. Requests should be sent to: Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707

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

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

Items formerly included under the Board Packet Addendum are now posted separately on the District's website, under the title "Monthly Reports."

Communications and information submitted by community members and others will be included in the Correspondence section of this report and available to the public.

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**DRAFT**

### **BOARD OF DIRECTORS MEETING MINUTES**

**LOCATION:** Arlington Community Church, 52 Arlington Avenue, Kensington

**DATE:** May 23, 2019

#### **Special Meeting – Closed Session**

President Nottoli opened the meeting at 6:33. Directors Nottoli and Sherris-Watt were present at Arlington Church and Director Deppe was present by phone. President Nottoli asked for public comment; there were none and the Board went into closed session. Director Modavi joined shortly after the closed session began.

#### **Regular Meeting**

President Nottoli opened the regular meeting at 7:38. Directors Modavi, Nottoli and Sherris-Watt were present at Arlington Church and Directors Deppe and Hacaj were present by phone.

#### Old Business

Resolution 2019-05: A Resolution of the Board of Directors for the Kensington Police Protection and Community Services District Confirming the Assessment and Ordering the Levy for the Kensington Park Assessment District for Fiscal Year 2019/20.

*Board Vote:* President Nottoli moved to adopt Resolution 2019-05 and Director Sherris-Watt seconded the motion. Directors Deppe, Hacaj, Modavi, Nottoli, and Sherris-Watt voted in favor of the motion and it passed 5-0.

Resolution 2019-07: Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Authorizing the Execution and Delivery of an Installment Sale Agreement and Directing Certain Actions in Connection with the Acquisition and Construction of a Community Center Remodeling Project

Note: the Board considered Resolution 2019-07 for a loan of \$250,000 and 2019-08 for a loan of \$300,000. The likely amount of funding needed after taking into account a loan of \$250,000 is \$133,489 of which \$158,000 will be reimbursed after the ADA work is completed or any amounts recovered from the surety bond.

*Board Vote:* President Nottoli moved to adopt Resolution 2019-07 and Vice-President Hacaj seconded the motion to adopt Resolution 2019-07. Director Modavi voted present and Directors Deppe, Hacaj, Nottoli, and Sherris-Watt voted in favor of the motion and it passed 4-0.

Resolution 2019-06: A Resolution of the Kensington Police Protection and Community Service District to Repeal Existing Sections 4000 and 5000, Renumber Existing Section 3000 as 5000, and Adopt New Sections 3000 and 4000.

*Board Vote:* Director Sherris-Watt moved to adopt Resolution 2019-06, a Resolution of the Kensington Police Protection and Community Service District to Repeal Existing Sections 4000 and 5000, Renumber Existing Section 3000 as 5000, and Adopt New Sections 3000 and 4000, with the following changes: (1) add the letter “d” in Section 3001.1(24) to the word “observe”, (2) add the letter “r” to the word “Manage” in Section 3110.2; (3) add the

words “item on” be added after the second “the” [in the 3<sup>rd</sup> line] in Section 4110.6.1, and (4) end the first sentence in Section 3000.1 after the word “District” with the proviso that the General Manager review suggestions from this evening and bring any revisions to the Board for consideration by September 1. President Nottoli seconded the motion. Directors Deppe, Hacaj, Nottoli and Sherris-Watt voted in favor and Director Modavi voted against the motion. The motion passed 4-1.

Kensington Fire Protection District. KFPD Board Present Julie Stein presented a request from the Kensington Fire Protection District to Obtain and Share the Cost for a Legal Opinion Concerning Building within Kensington Park. No action was taken.

Motion to Extend Meeting to 10:30. President Nottoli moved to extend the meeting to 10:30 which was seconded by Director Modavi. Directors Deppe, Modavi, Nottoli and Sherris-Watt voted in favor of the motion which passed 4-0. Vice President Hacaj had left the meeting by 10.

Financial Audit for FY2018/19. Steven Chang of Lamorena & Chang, CPA presented the Kensington Police Protection and Community Services District: Financial Statements and Independent Auditor’s Report for the Year Ended June 30, 2018. He stated that it was a clean audit. In addition, Lamorena & Chang had requested a total payment of \$17,800 of which \$16,000 had been previously approved. The additional \$2,700 requested consisted of \$1,600 for the additional work to comply with new GASB 75 standard for Other Post-Employment Benefits (OPEB) and \$900 to include a cash flow analysis in the annual audit as requested by the Finance Committee. Mr. Chang noted that the approximately \$2.2 million unfunded OPEB liability has resulted in an approximately a total of \$7.2 million in liability as of June 20, 2018.

*Board Vote on Audit.* President Nottoli moved to accept the audit and Director Deppe seconded the motion. Directors Deppe, Modavi, Nottoli, and Sherris-Watt approved the motion which passed 4-0.

*Board Vote on Additional Monies.* President Nottoli moved to authorize the additional monies of \$1,600 to complete the audit and \$500 for the cash flow chart for a total of \$2,700; Director Sherris-Watt seconded the motion. Directors Deppe, Modavi, Nottoli, and Sherris-Watt approved the motion which passed 4-0.

Proposed Budget. The Proposed FY2019/20 Budget. Kensington Police Protection and Community Services District: Proposed Fiscal Year 2019/20 Budget was discussed. General Manager Constantouros noted that the budget assumes a temporary Chief of Police and a new officer starting as of July 1 and that the budget has the new administrative positions starting within the Fiscal Year with some overlap with current staff during the transition. No action was taken.

Motion to Extend Meeting to 10:45. President Nottoli moved to extend the meeting to 10:45 which was seconded by Director Sherris-Watt. Directors Deppe, Modavi, Nottoli and Sherris-Watt voted in favor of the motion which passed 4-0.

Public Comments. Linda Lipscomb noted recent press releases describing the arrests made by Officers Fodor, Foley, and Martinez and Sergeant Barrow.

Board and Staff Comments. General Manager Constantouros summarized information in his Monthly Report. He noted the low pay for Chief of Police may be a deterrent. Director Modavi noted his concern on the response time from his Public Record Act request to Albany.

Consent Calendar. Director Sherris-Watt requested that all minutes note the location of meetings, that the word “that” be changed to “for” page 3 of Item (e) in the line with Meryl Natchez, and that Item (f) be pulled. Director Modavi requested that \$1,8000 on page 2 of Item (e) be corrected.

*Vote to Approve Consent Calendar.* Director Sherris-Watt moved to approve items (a)-(e) and (g)-(h) with corrections made by Directors at the meeting. President Nottoli seconded the motion. Directors Deppe, Nottoli, and Sherris-Watt for and Director Modavi voted against the motion which passed 3 to 1.

Adjournment. President Nottoli moved to adjourn the meeting which was seconded by Director Sherris-Watt. Directors Deppe, Modavi, Nottoli, and Sherris-Watt voted in favor of the motion which passed 4-0. The meeting adjourned at 10:44.

Prepared by: Eileen Nottoli

Date approved by the Board:

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Tony Constantouros, General Manager

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Eileen Nottoli, Board President

**ITEM NUMBER:** 9.a.i

**To:** KPPCSD Board of Directors

**From:** Rachelle Sherris-Watt

**Date:** June 13, 2019

**Subject:** Response to KFPD

## **BACKGROUND**

In May 2019, the Kensington Fire Protection District sent a letter to the KPPCSD requesting funds to provide for a legal opinion. This opinion would examine the legality of using land in Kensington Park for the construction of a public safety building.

On May 23rd, the KPPCSD Board, on consensus, declined to authorize the funds. Members of the Board cited concerns that the community and individual Directors did not have enough information as to site selection and means of evaluation to eliminate all properties.

## **THE PROCESS**

In order to communicate in a timely matter and allow the KFPD to take further action, it is suggested that a detailed response be composed with information that the KPPCSD Directors need before they can discuss funding the legal opinion. The letter will request that the KFPD provide a thorough analysis of possible safety building sites in Kensington and details of determining viability for locating a public safety building on a particular parcel.

After a Fire Board presentation to the KPPCSD Board on March 28<sup>th</sup>, a number of residents mentioned locations that they thought would be favorable for construction including the EBMUD reservoir, the ACE Hardware parking lot, and other parcels on Coventry and along the Arlington. A short explanation was not sufficient to evaluate the desirability of Kensington Park over all other options.

Criteria used to evaluate the sites could include the following: size of parcel, seismic safety (as known), response times, vehicle access, pedestrian traffic, as well as parking and zoning considerations.

## **CONCLUSION AND RECOMMENDATION**

At this time, we believe that a formal response should be written by Directors Deppe and Sherris-Watt and presented to the KFPD in time to be agendaized for their meeting July 10, 2019.



May 15, 2019

Ms. Eileen Nottoli, President

Kensington Police Protection and Community Services District

217 Arlington Avenue

Kensington, CA 94707

Dear President Nottoli,

At its regular meeting on May 8, 2019, the Board of Directors of the Kensington Fire Protection District (KFPD) discussed strategies to continue with and finalize its analyses of viable alternatives to a) seismically upgrade and renovate or b) build a new Public Safety Building for Kensington. The Public Safety Building at 217 Arlington Avenue presently houses all personnel and equipment for the KFPD and the Kensington Police Protection and Community Services District (KPPCSD).

As authorized by the KFPD Board on May 8, 2019, I am writing to request that KPPCSD obtains a legal opinion addressing whether KPPCSD is prohibited by bond covenants, grant restrictions, or otherwise from allowing the development of a new Public Safety Building within Kensington Park. The KFPD is prepared to enter into an agreement with KPPCSD to pay 50% of the costs of such an opinion, up to \$5,000 for each District, as long as the opinion is delivered to the Kensington Fire Protection District within 60 days from May 8, 2019.

In addition to authorizing this request for the above-referenced legal opinion, the KFPD Board also moved to begin planning a public forum to educate the public on the status of the Public Safety Building and seek community input on its future. We anticipate that the public forum will be held in the fall of 2019, and invite the KPPCSD to participate with the KFPD Board in this community event.

I hope that the KPPCSD Board will look favorably on this request to obtain a timely legal opinion in the interest of assuring the public that we have carefully investigated the alternatives for the future of the Public Safety Building. Please do not hesitate to contact me if you have any questions.

Best regards,

  
Julie Stein, President  
Kensington Fire Protection District

cc: Brenda Navellier, KFPD District Manager,  
Anthony Constantouros, KPPCSD General Manager

June 10, 2019 - Revised

TO: Tony Constantouros  
General Manager  
Kensington Police Protection Community Service District  
Public Safety Building  
217 Arlington Avenue  
Kensington, CA 94707-1401  
TConstantouros@kensingtoncalifornia.org

RE: **PROJECT STATUS REPORT - UPDATE 06/10/19**  
Seismic Upgrades and Building Alterations, Kensington Community Center

This memo is forwarded to provide an update of the status of the Kensington Community Center Project through the award process.

At its May 16, 2019 meeting, following the default of the apparent low bidder, Eagle Builders, the KPPCSD Board awarded the project construction contract to the second low bidder, KCK Builders.

The KCK basic scope bid was \$1,531,400. The Board also approved the following five Bid Alternates of the nine provided in the bids, all additive:

Bid Alt. 1 - New flooring at Meeting Hall: \$30,000  
Bid Alt. 2 - New flooring at Meeting Room 3: \$9,000  
Bid Alt. 3 - New partial-height cabinet work at west wall of Meeting Hall: \$58,000  
Bid Alt. 4 - Integrate existing A.V. system into new cabinet work at west wall of Meeting Hall: \$9,000  
Bid Alt. 8 - New acoustical ceiling tile at Meeting Hall: \$32,000

The above combined Basic Scope and Bid Alternates bid totals \$\$1,669,400.

### **Bid Award - Next Steps**

The terms of the Invitation for Bids require the contractor to return a signed copy of the Contract form, included with Invitation for Bids, within ten calendar days. KCK provided a signed contract within the allotted time frame. The document, however, included a statement added by KCK that Counsel advised that we not accept. A revised, signed contract document without the added wording should be received prior to the scheduled Thursday, June 13 meeting.

### **Proposed Change Order**

We have requested and received proposed costs from KCK for a change order to incorporate new flooring for Meeting Rooms 1 and 2 (New flooring at Meeting Hall and Meeting Room 3 is already included in the

**Glass Associates, Inc.**  
*Architecture & Planning*  
337 17th Street  
Oakland, California 94612  
(510) 788-5888  
[www.glassarchplan.com](http://www.glassarchplan.com)

**PROJECT STATUS REPORT**

Seismic Upgrades and Building Alterations, Kensington Community Center

June 10, 2019 - Revised

Page 2 of 2

accepted Bid Alternates described above), as well as a clarification to the drawings regarding the lighting for the Meeting Hall. The latter is necessary due to a computer drawing to CAD conversion error in the bid drawings. The proposed KCK cost for the Change Order is \$36,700. We recommend that the District approve this change order. The change can be accommodated by existing contingency funds in the contract. The contingency amount in the contract is \$176,700. The remaining contingency balance would be \$140,700. Alternatively, the District could opt to add the Change Order amount to the KCK contract, but that would involve additional costs for insurance and bonding.

I trust the above provides you and the Board with the information necessary to consider the proposed Change Order. Please let me know if you have any questions regarding the above.

Very truly yours,  
GLASS ASSOCIATES, INC.



William R. Glass, FAIA  
Principal

CC: Sylvia Hacaj, Kensington Police Protection & Community Services District  
Ann R. Danforth, General Counsel, Kensington Police Protection & Community Services District

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### BOARD OF DIRECTORS MEETING

JUNE 13, 2019

#### ITEM 10.1.i

### **RESOLUTION (2019-08) OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT ADOPTING THE BUDGET FOR FISCAL YEAR 2019-20 AND AUTHORIZING THE ESTABLISHMENT OF A CAPITAL FUND FOR THE COMMUNITY CENTER RENOVATION PROJECT**

#### **BACKGROUND**

The Board of Directors annually adopts a spending plan for operating and capital costs for the coming fiscal year. Over the past several months, staff has developed a Proposed Budget for the fiscal year beginning July 1, 2019. The Fiscal Year 2019-20 Proposed Budget projects revenue of \$3,428,730 to fund operating and capital costs of \$3,415,159.

#### Revenue

The District's main source of revenue is property tax revenue. It is anticipated that the general tax levy will generate \$1,941,000, with an additional \$682,000 from the Special Police Tax and \$588,400 from the Measure G Supplemental Tax. Overall, tax revenue is expected to account for 94 percent of District revenue for Fiscal Year 2019-20. The remaining sources of revenue include anticipated grant funding (\$100,000), franchise fee revenue (\$51,430), assessment district revenue (\$39,000), interest earnings (\$15,200) and miscellaneous other revenue totaling \$11,700.

#### Operating Expenditures

District operating expenses for Fiscal Year 2019-20 are projected to be \$3,383,042. Of this amount, \$2,603,545 (77 percent) will fund police activities, \$126,134 (4 percent) will fund parks and recreations activities with the remaining \$653,363 (19 percent) is allocated to general district administration activities.

#### Capital Expenditures

The Fiscal Year 2019-20 Proposed Budget includes a total of \$32,117 in capital expenses. The items to be funded include the purchase of computer risk modeling software (\$1,500) and the annual payment on the loan for the Community Center Renovation Project (\$30,617).

#### Community Center Renovation Project

A contract for the Community Center Renovation Project has been awarded and it is anticipated that this project will be completed during the 2019-20 fiscal year. The budget resolution authorizes the establishment of a Capital Fund for tracking the costs associated with this project and also authorizes transferring the funds currently allocated from

General Fund reserves and donations (estimated to be \$1,329,900 at June 30, 2019) to the Capital Fund. The proceeds of the debt financing for this project (\$250,000) will also be allocated to the Capital Fund.

The Finance Committee reviewed the Proposed Budget in detail on May 2 and June 4, 2019. The Finance Committee recommended adoption of the Budget by the Board of Directors.

**RECOMMENDATION:**

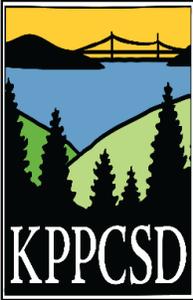
1. Discuss and receive comments;
2. Adopt Resolution 2019-08

**FISCAL IMPACT:** Anticipated General Fund revenue of \$3,428,730 and expenditures of \$3,415,159. The budget also projects the expenditure of \$1,761,670 from the Capital Fund for the Community Center Renovation Project.

**ATTACHMENTS:**

Proposed Budget – Fiscal Year 2019-20  
Resolution 2019-08

**SUBMITTED BY:** Anthony Constantouros, General Manager



# Kensington Police Protection and Community Services District

## Proposed Budget Fiscal Year 2019-20

*June 13, 2019*

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

Elected Officials and Administrative Staff

**Elected Officials**

Eileen Nottoli	Board President
Sylvia Hacaj	Board Vice-President
Rachelle Sherris-Watt	Board Member
Christopher Deppe	Board Member
Cyrus Mondavi	Board Member

**District Management**

Anthony Constantouros	General Manager
Rickey Hull	Interim Chief of Police

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# Kensington Police and Community Services District

## Fiscal Year 2019-20 Proposed Budget

### **GENERAL MANAGER'S MESSAGE**

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I am pleased to present the Budget for the Kensington Police Protection and Community Services District for the 2019-20 fiscal year. This document provides a comprehensive overview of the projected District revenues and expenditures for the twelve-month period beginning July 1, 2019. This is the second year that the budget document utilizes a revised format that includes summary activities for each major budget unit. The budget is a financial plan for the coming fiscal year which will support the District's Mission Statement of providing services that enhance the community of Kensington.

The Fiscal Year 2019-20 Budget projects revenue of \$3,423,030 to fund operating and capital expenditures totaling \$3,415,159 in three areas – Police, Recreation and Administration. The Budget includes changes in police and administrative staffing, as noted below, and provides funding of \$1,500 for capital purchases. In addition, the Community Center Renovation Project is budgeted in the Capital Projects Fund with a projected Fiscal Year 2019-20 cost of \$1,761,670. Significant activities anticipated during the next fiscal year are summarized below:

Community Center Project – The Kensington Community Center seismic upgrades and building alterations are scheduled for construction during the 2019-20 fiscal year. The project bid for this project was awarded to KCK Builders for \$1,669,400. The project includes \$250,000 in debt financing. Further detail on this project is identified in the Capital section of the budget document.

Planning for Increased Retirement/OPEB costs – These costs are increasing and are subject to new GASB reporting requirements. Increasing CalPERS costs are still not in long-term control and are anticipated to continue to have negative impacts on future budgets.

Public Safety Building – The Fire Board is the lead agency on this project. The direction of the project will have cost, location and administrative impacts on the District. The District has been working with the Fire Board to develop an evaluation process, identify the most optimum location, and study the options that best meet the goals of the two Boards

Police Services Study – This study has been completed and the Board of Directors authorized obtaining contract information through a Request For Proposal from interested jurisdictions. It is anticipated that this fiscal year the Board will select an option for the future administration and operation of police services.

Police Staffing – Funding for management positions, including a temporary Chief of Police, have been included. The staffing could change depending on the decision of the Board of Directors after receiving

# Kensington Police and Community Services District

## Fiscal Year 2019-20 Proposed Budget

responses to contracting options.

Administrative Study – the new positions, as approved by the Board of Directors, have been included in the FY 2019/20 budget. Funds have been included for a professional recruiter to handle the process for filling the positions and there will be a transition to the new organization.

Policy and Procedures Manual – A review of the District’s Policy and Procedures Manual is nearing completion. Revised sections of the new manual will be presented in the new fiscal year for the consideration of the Board of Directors.

The Finance Committee is planning to review the Proposed Draft Budget on May 21, 2019. The Draft budget for Fiscal Year 2019-20 will be initially presented to the Board of Directors on May 23, 2019 with the final budget presented to the Board on June 13, 2019.

Respectfully Submitted,

Anthony Constantouros  
General Manager

# Summary Information

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

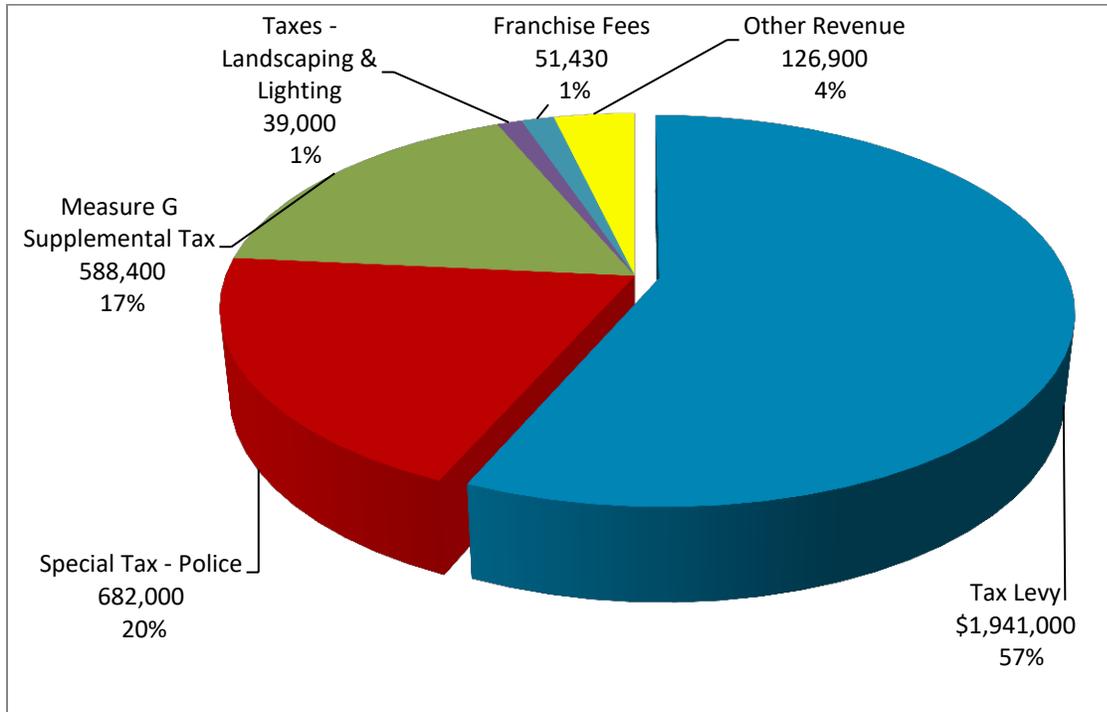
## BUDGET SUMMARY

	FY 2016-17 Actual	FY2017-18 Actual	FY2018-19 Budget	FY 2019-20 Proposed Budget
<u>Revenue</u>				
Police Activities	\$ 3,348,397	\$ 3,177,797	\$ 3,179,000	\$ 3,337,900
Parks and Recreation Activities	78,735	67,998	51,700	39,200
District Administration	<u>60,899</u>	<u>78,182</u>	<u>54,485</u>	<u>51,630</u>
<b>Total Revenue</b>	<b>\$ 3,488,031</b>	<b>\$ 3,323,977</b>	<b>\$ 3,285,185</b>	<b>\$ 3,428,730</b>
<u>Expenditures</u>				
Police Activities	2,271,384	2,348,361	2,474,163	2,603,545
Parks and Recreation Activities	116,832	98,460	118,955	126,134
District Administration	434,460	528,623	541,549	683,980
Capital Outlay	74,153	123,250	61,300	1,500
<b>Total Expenditures</b>	<b>\$ 2,896,829</b>	<b>\$ 3,098,694</b>	<b>\$ 3,195,967</b>	<b>\$ 3,415,159</b>
<b>Total Operating Surplus/(Shortfall)</b>	<b>\$ 591,202</b>	<b>\$ 225,283</b>	<b>\$ 89,218</b>	<b>\$ 13,571</b>

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

GENERAL FUND REVENUE BY SOURCE

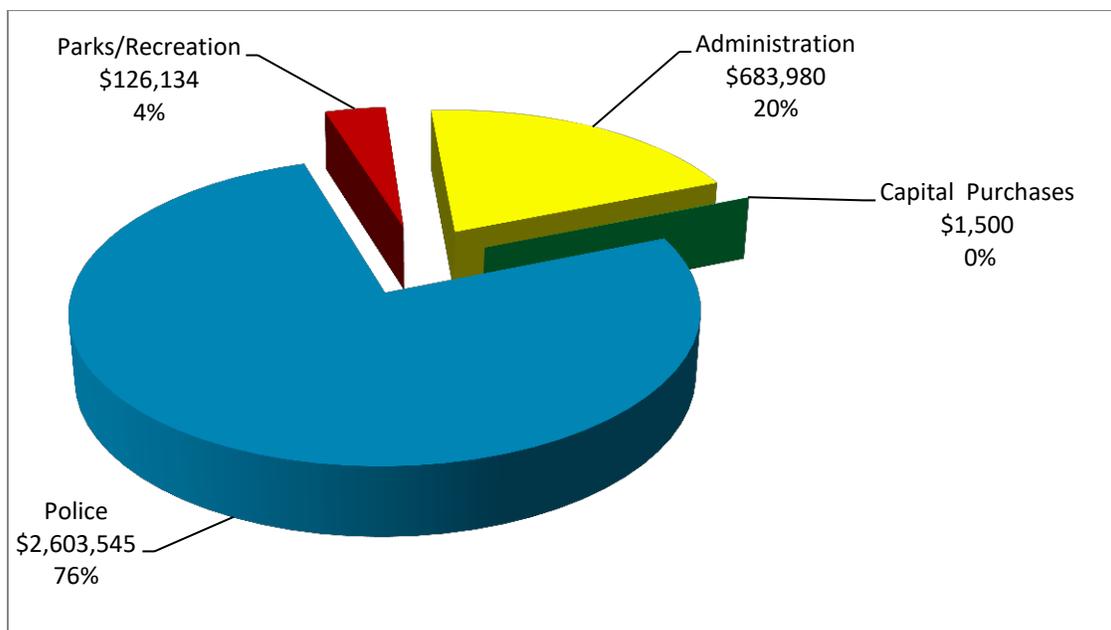
Fiscal Year 2019-20



Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

GENERAL FUND EXPENDITURES BY ACTIVITY

Fiscal Year 2019-20



*(Excludes Community Center Renovation Project)*

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

**REVENUE AND EXPENDITURE SUMMARY**

	FY 2016-17 Actual	FY2017-18 Actual	FY2018-19 Budget	FY 2019-20 Proposed Budget
<b>REVENUE</b>				
Levy Tax	\$ 1,685,200	\$ 1,763,520	\$ 1,812,000	\$ 1,941,000
Special Police Tax	681,630	681,851	682,000	682,000
Measure G Supplemental Tax	527,989	548,106	564,500	588,400
Kensington Hilltop Services Reimb.	19,468	8,372	-	-
West County Crossing Guard Reimb.	11,151	7,010	-	-
Grants - Police	158,951	151,363	100,000	100,000
Special Assessment - L&L	36,220	37,481	37,500	39,000
Community Center Revenue	31,393	29,595	14,000	-
Community Center Contributions	11,000	722	-	-
Franchise Fee Revenue	55,819	54,266	54,285	51,430
Investment Income	8,213	22,416	8,200	15,200
Other Revenue	260,997	19,275	12,700	11,700
<b>TOTAL REVENUE</b>	<b>\$ 3,488,031</b>	<b>\$ 3,323,977</b>	<b>\$ 3,285,185</b>	<b>\$ 3,428,730</b>
<b>EXPENDITURES</b>				
<u>Police</u>				
Salary and Benefits	2,025,238	1,948,453	2,171,531	2,263,094
Other Police Expenses	<u>246,146</u>	<u>399,908</u>	<u>302,632</u>	<u>340,451</u>
<b>TOTAL POLICE EXPENSES</b>	<b>\$ 2,271,384</b>	<b>\$ 2,348,361</b>	<b>\$ 2,474,163</b>	<b>\$ 2,603,545</b>
<u>Parks/Recreation</u>				
Salary and Benefits	9,059	9,064	9,219	7,307
Community Center Expenses	14,626	10,785	12,386	6,977
Other Parks/Recreation Expenses	<u>93,147</u>	<u>78,611</u>	<u>97,350</u>	<u>111,850</u>
<b>TOTAL PARKS/RECREATION EXPENSES</b>	<b>\$ 116,832</b>	<b>\$ 98,460</b>	<b>\$ 118,955</b>	<b>\$ 126,134</b>
<u>District Administration</u>				
Salary and Benefits	5,938	164,065	195,418	244,739
Other District Administration Expenses	<u>428,522</u>	<u>364,558</u>	<u>346,131</u>	<u>408,624</u>
<b>TOTAL DISTRICT ADMINISTRATION EXPENSES</b>	<b>\$ 434,460</b>	<b>\$ 528,623</b>	<b>\$ 541,549</b>	<b>\$ 653,363</b>
<u>Capital Outlay</u>	<b>\$ 74,153</b>	<b>\$ 123,250</b>	<b>\$ 61,300</b>	<b>\$ 32,117</b>
<b>TOTAL OPERATING/CAPITAL EXPENSES</b>	<b>\$ 2,896,829</b>	<b>\$ 3,098,694</b>	<b>\$ 3,195,967</b>	<b>\$ 3,415,159</b>
<b>Total Operating Surplus/(Shortfall)</b>	<b>\$ 591,202</b>	<b>\$ 225,283</b>	<b>\$ 89,218</b>	<b>\$ 13,571</b>

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

**GENERAL FUND REVENUE DETAIL**

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Budget	FY 2019-20 Proposed Budget
<b>REVENUE</b>				
<u>Police Activities Revenue</u>				
401 Levy Tax	\$ 1,685,200	\$ 1,763,520	\$ 1,812,000	\$ 1,941,000
402 Special Police Tax	681,630	681,851	682,000	682,000
404 Measure G Supplemental Tax	527,989	548,106	564,500	588,400
409 Asset Seizure	143,777	-	-	-
410 Police Fees/Service Charges	3,369	3,100	1,500	1,500
411 Kensington Hilltop Services Reimb.	19,468	8,372	-	-
413 West County Crossing Guard Reimb.	11,151	7,010	-	-
414 POST Reimbursement	1,054	2,984	1,000	-
415 Grants - Police	158,951	151,363	100,000	100,000
416 Investment Income	7,633	-	8,000	15,000
418 Miscellaneous Revenue	13,923	7,862	10,000	10,000
419 Supplemental Workers Compensation Reim	94,252	3,629	-	-
<b>Total Police Activity Revenue</b>	<b>\$ 3,348,397</b>	<b>\$ 3,177,797</b>	<b>\$ 3,179,000</b>	<b>\$ 3,337,900</b>
<u>Parks and Recreation Activities Revenue</u>				
424 Special Assessment - L&L	36,220	37,481	37,500	39,000
435 Grants - Parks/Recreation	-	-	-	-
427 Community Center Revenue	31,393	29,595	14,000	-
438 Miscellaneous Revenue	122	200	200	200
439 Community Center Contributions	11,000	722	-	-
<b>Total Parks and Recreation Activity Revenue</b>	<b>\$ 78,735</b>	<b>\$ 67,998</b>	<b>\$ 51,700</b>	<b>\$ 39,200</b>
<u>District Administration Revenue</u>				
448a/b Franchise Fee Revenue	55,819	54,266	54,285	51,430
456 Investment Income	580	22,416	200	200
458 Miscellaneous Revenue	4,500	1,500	-	-
<b>Total District Administration Revenue</b>	<b>\$ 60,899</b>	<b>\$ 78,182</b>	<b>\$ 54,485</b>	<b>\$ 51,630</b>
<b>TOTAL REVENUE</b>	<b>\$3,488,031</b>	<b>\$3,323,977</b>	<b>\$3,285,185</b>	<b>\$3,428,730</b>

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

DEPARTMENTAL ACTIVITIES

# Kensington Police and Community Services District

Fiscal Year 2019-20 Proposed Budget

## POLICE DEPARTMENT

### Departmental Overview

The Kensington Police Department was established in the mid-1940's. The Department provides the full range of services usually provided by a local department that maintains a staff of sworn officers. Typical responsibilities include crime prevention, traffic control, neighborhood patrol, responding to emergency calls, issuing traffic and parking citations, enforcing warrants, mediating disputes, investigating crimes, investigating traffic accidents, providing first aid to people in need, enforcing warrants, arresting violators, testifying in court, and enforcing court orders.

### Key Accomplishments – Fiscal Year 2018-19

- Kensington continues to be a very safe community with consistently low violent and property crime rates.
- Improved recruitment of new officers; one new officer hired; two possible candidates are progressing through the background process.
- Installed poles for portable speed signs.
- Nixle system operating.
- Contracted with Matrix to conduct analysis of police organizational options.
- Two additional Matrix community meetings held on February 28 and March 2.
- Matrix Phase I report presented May 24, 2018.
- Matrix Phase II report presented Oct. 4, 2018.

### Major Goals – Fiscal Year 2019-20

- Installation of additional traffic poles for permanent solar speed signs.
- Recruit additional qualified applicants into the reserve program for consideration of permanent employment.
- Reinforce KPD policies and procedures and improve upon professional standards.
- Improve the police relationship with District proprietors and create environment for the establishment of a police and community partnership.
- Seek to hire a temporary experienced Police Chief on an interim basis.
- Finalize recommendations on police services and implement Board policy direction.
- Seek additional opportunities for staff training..

**Kensington Police and Community Services District**  
**Fiscal Year 2019-20 Proposed Budget**

**POLICE DEPARTMENT**

<b>POLICE</b>	FY 2016-17	FY2017-18	FY2018-19	FY 2019-20
	Actual	Actual	Budget	Proposed
<b>Salaries and Benefits</b>				
Salaries	\$ 1,175,837	\$ 957,621	\$ 1,059,846	\$ 1,133,303
Benefits	849,401	990,832	1,111,685	1,129,791
Total Labor Costs	2,025,238	1,948,453	2,171,531	2,263,094
<b>Other Expenses</b>				
Police Supplies	3,334	159	2,200	2,200
Range/Ammunition Supplies	7,521	1,325	5,500	5,500
Crossing Guard	11,089	11,301	12,474	14,893
Vehicle Operation	25,485	29,717	27,500	30,000
Communications	123,270	199,961	114,578	142,578
Radio Maintenance	1,817	908	-	-
Prisoner/Case Exp/Booking	10,406	10,843	12,000	12,000
Training	3,794	4,322	10,000	10,000
Hiring	3,285	1,826	15,750	15,750
Reserve Officers	3,580	9,189	4,000	4,000
Dues, Meals, Travel	1,687	1,705	2,850	2,850
Utilities	13,164	10,036	11,400	13,800
Building Maintenance and Repairs	658	-	3,000	3,000
Office Supplies	5,588	6,004	6,500	6,500
Telephone	4,904	7,226	5,280	5,280
Housekeeping	4,557	4,633	4,000	4,000
Publications	2,923	2,820	3,500	3,500
Community Policing	9,520	7,789	2,000	4,500
Legal/Consulting	-	81,236	50,000	50,000
CAL I.D.	6,101	5,262	6,100	6,100
Measure G Administration	3,463	3,646	4,000	4,000
Total Other Expenses	246,146	399,908	302,632	340,451
<b>TOTAL POLICE EXPENSES</b>	<b>\$ 2,271,384</b>	<b>\$ 2,348,361</b>	<b>\$ 2,474,163</b>	<b>\$ 2,603,545</b>

# Kensington Police and Community Services District

Fiscal Year 2019-20 Proposed Budget

## PARKS AND RECREATION

### **Departmental Overview**

The KPPCSD manages, maintains and makes improvements to the Community Center (Youth Hut), Annex, Kensington Park and its amenities, including a tot lot, swings, barbeque and picnic areas, a basketball court and two tennis courts.

The KPPCSD is about to break ground on a renovation of the Community Center. Built by volunteers in 1954, the cinder block building was last updated in 1988. Set to be completed this year are seismic and ADA improvements, along with additional features to facilitate function for use for a larger section of the community.

This project began in 2015 and funding has been secured from prior year budgets, a grant from East Bay Regional Parks and a loan from the CSDA. Community organizations, such as the Kensington Community Council (KCC), Kensington Improvement Club (KIC) and Kensington Property Owners Association (KPOA) have pledged contributions totaling over \$475,000.

This year the District has a host of improvement projects planned including resurfacing of the tennis courts, blackberry and poison oak removal, tree inspection and the addition of new garbage cans in Kensington Park.

### **Key Accomplishments – Fiscal Year 2018-19**

- Removal of diseased and fallen trees in Kensington Park.
- Trimming of limbs in park along Arlington Boulevard and Highland Boulevard.
- Removal of poison oak, wild hemlock, blackwood acacia and non-native blackberry in Kensington Park.
- Removal of diseased and damaged trees at lot at Coventry and Arlington and replanting of three live oak trees.

### **Major Goals – Fiscal Year 2019-20**

- Complete the renovation of the Kensington Community Center.
- Survey vegetation in Kensington Park and remove hazardous materials.
- Resurface the tennis courts.
- Continue removal of poison oak and other invasive plants in Kensington Park.

The KPPCSD has a 3-year contract with the Kensington Community Council (KCC), a not-for-profit organization that provides recreation programs for school children and adults on the District's behalf.

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

**PARKS AND RECREATION**

	FY 2016-17 Actual	FY2017-18 Actual	FY2018-19 Budget	FY 2019-20 Proposed
<b><u>PARKS/RECREATION</u></b>				
<b><u>Salaries and Benefits</u></b>				
Salaries	\$ 8,440	\$ 8,591	\$ 8,564	\$ 6,788
Benefits	<u>619</u>	<u>473</u>	<u>655</u>	<u>519</u>
Total Labor Costs	9,059	9,064	9,219	7,307
<b><u>Other Expenses</u></b>				
Custodian	21,000	20,550	22,750	5,250
Community Center - Utilities	6,680	5,599	6,636	1,327
Community Center - Janitorial Supplies	676	779	1,250	250
Community Center Repairs	5,611	1,826	1,500	2,400
Equipment Maintenance	1,659	2,581	3,000	3,000
Annex Repairs	-	-	1,000	-
Annex - Miscellaneous Expenses	-	-	1,000	-
Gardening Supplies	-	-	1,000	1,000
Kensington Park O&M	70,776	57,508	69,600	94,600
Tennis Court Maintenance	-	-	1,000	10,000
Miscellaneous Expenses	<u>1,371</u>	<u>553</u>	<u>1,000</u>	<u>1,000</u>
Total Other Expenses	107,773	89,396	109,736	118,827
<b>TOTAL PARKS/RECREATION EXPENSES</b>	<b>\$ 116,832</b>	<b>\$ 98,460</b>	<b>\$ 118,955</b>	<b>\$ 126,134</b>

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

**DISTRICT ADMINISTRATION**

**Departmental Overview**

The KPPCSD Administration handles the oversight and processing of all administrative matters. The General Manager advises on efficient delivery of services, best practices to achieve an effective organization, oversees major projects and implements the policy direction of the Board of Directors. The General Manager explores methods to improve accountability, cost effectiveness, professional standards and evaluation of District services.

**Key Accomplishments – Fiscal Year 2018-19**

- Staff reports included for major items on the Board Agenda.
- Coordination of Matrix police services evaluation of options.
- RFP process for police contracting options approved April 25, 2019.
- A revised budget format has been initiated.
- Completion of annual audit.
- Annual Supplemental Special Tax for Police Protection completed.
- Gann override election, with vote on November 6, 2018 successfully completed.
- Gann Limit calculation and process completed.
- Administrative support organization approved on August 9, 2018.

**Major Goals – Fiscal Year 2019-20**

- Implement the recommendations of the administrative study.
- Oversee completion of annual audit.
- Hiring and supervision of District staff.
- Implementation of Board direction related to police services.
- Develop an updated Policy and Procedures Manual.
- Participate in options related to Public Safety Building.
- Oversee the Community Center construction process.

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

**DISTRICT ADMINISTRATION**

	FY 2016-17 Actual	FY2017-18 Actual	FY2018-19 Budget	FY 2019-20 Proposed
<b><u>DISTRICT ADMINISTRATION</u></b>				
<b><u>Salaries and Benefits</u></b>				
Salaries	\$ 5,938	\$ 156,145	\$ 181,531	\$ 227,347
Benefits	-	7,920	13,887	17,392
Total Labor Costs	5,938	164,065	195,418	244,739
<b><u>Other Expenses</u></b>				
Computer Maintenance	26,105	31,164	26,538	30,088
Administrative Communications	-	-	7,000	5,000
Copier Contract	4,865	5,043	5,045	6,893
Legal	227,419	76,461	55,880	80,840
Consulting	46,648	92,104	44,000	25,800
Accounting	50,748	40,751	59,250	51,450
Insurance	27,607	36,588	39,000	70,000
Elections	3,562	-	10,000	-
Police Building Lease	1	35,468	35,468	36,603
County Expense	21,396	21,855	21,800	24,300
Waste/Recycle	4,252	4,462	16,500	51,000
Miscellaneous Expenses	15,919	20,662	25,650	26,650
Total District Administration Other Expenses	428,522	364,558	346,131	408,624
<b>TOTAL DISTRICT ADMINISTRATION EXPENSES</b>	<b>\$ 434,460</b>	<b>\$ 528,623</b>	<b>\$ 541,549</b>	<b>\$ 653,363</b>

**Kensington Police and Community Services District**  
Fiscal Year 2019-20 Proposed Budget

## SOLID WASTE

### **Departmental Overview**

In 1979, Kensington residents voted to add solid waste to the services provided by the Kensington Police Protection and Community Service District. Kensington's most recent contract with Bay View Refuse and Recycling commenced in 2015 and will expire in 2023. Through this agreement, Bay View Refuse and Recycling provides weekly garbage collection and twice-monthly green waste pick-ups.

The KPPCSD Board researched the possibility of adding food composting to the list of services. Composting options are under evaluation to ascertain whether residents wish to add, and to pay an additional fee, for this service. Should this service be included, residents will be able to add compostable food items to their green waste, and these bins will be collected every week.

### **Key Accomplishments – Fiscal Year 2018-19**

- Average of 116.33 tons/month of solid waste disposed for 2018.
- Average of 146.08 tons/month of yard waste and recyclables for 2018.
  - From above total, 83.58 tons of green waste/month.
- Achieved 51.79% to 59.03% diversion rate per quarter for 2018.

### **Major Goals – Fiscal Year 2019-20**

- Abate hazardous materials for Community Center Renovation Project.
- Maintain or improve on 2018 accomplishments.
- Consider adding food composting.
- Explore hiring a firm to conduct a rate study.
- Consider conducting survey related to toter options.
- Consider early planning for process related to 2023 contract expiration.
- Replace public garbage containers along Colusa Avenue and Arlington Boulevard.

*Note: No separate budget has been developed for the Solid Waste activity at this time.*

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

## CAPITAL PURCHASES/CAPITAL PROJECTS

@ RISK` Modeling Software	\$	1,500
Community Center Loan Repayment	\$	30,617
<b>Total Capital Purchases/Loan Repayment</b>	<b>\$</b>	<b>32,117</b>

### COMMUNITY CENTER RENOVATION PROJECT *(Capital Fund)*

<u>Project Pre-Construction Costs</u>	\$	284,089
<u>Project Construction Cost</u>		
Base Contract	\$	1,531,400
Bid Alternates		138,000
Replace Floors in Meeting Rooms 1 and 2		45,000
Total Construction Cost	\$	1,714,400
 Total Projected Project Cost	 \$	 1,998,489
Less Costs Incurred Prior to Fiscal Year 2019-20		(236,819)
<b>Projected Fiscal Year 2019-20 Project Cost</b>	<b>\$</b>	<b>1,761,670</b>

#### **Source of Funding:**

District Reserves	\$	1,090,000
Less Pre-Construction Costs Incurred		(236,819)
Remaining Reserve Funds allocated to Project	\$	853,181
 Donations:		
Kensington Community Council		465,000
Kensington Improvement Club		10,000
Kensington Property Owners Association		5,000
Kensington Fire District		35,000
Other Donations Received as of June 2019		1,722
Total Donations	\$	516,722
 Debt Financing	 \$	 250,000
Solid Waste Franchise Fees (debris removal)		10,000
<b>Total Available Funding</b>	<b>\$</b>	<b>1,629,903</b>
Additional Funding Required	\$	131,767

Kensington Police and Community Services District  
Fiscal Year 2019-20 Proposed Budget

## AUTHORIZED STAFFING

	FY 2016-17 Budget	FY2017-18 Budget	FY2018-19 Budget	FY 2019-20 Proposed Budget
<b><u>POLICE</u></b>				
Police Chief	1.000	1.000	1.000	1.000
Master Sergeant	1.000	0.000	0.000	0.000
Police Captain	0.000	0.000	0.000	1.000
Sergeant	2.000	2.000	2.000	2.000
Corporal	1.000	1.000	1.000	1.000
Police Officer	5.000	6.000	6.000	5.000
Police Services Aide (Non-Sworn)	0.375	0.375	0.400	0.650
<b>Total Police</b>	<b>10.375</b>	<b>10.375</b>	<b>10.400</b>	<b>10.650</b>
<b><u>PARKS AND RECREATION</u></b>				
Police Services Aide	0.125	0.125	0.250	0.000
Finance and Business Manager	0.000	0.000	0.000	0.200
<b>Total Parks and Recreation</b>	<b>0.125</b>	<b>0.125</b>	<b>0.250</b>	<b>0.200</b>
<b><u>DISTRICT ADMINISTRATION</u></b>				
General Manager	0.000	0.000	0.600	0.375
District Administrator	0.625	0.750	0.750	0.000
Finance and Business Manager	0.000	0.000	0.000	0.300
Clerk of the Board	0.000	0.000	0.000	0.500
Office Assistant	0.000	0.000	0.000	0.630
<b>Total District Administration</b>	<b>0.625</b>	<b>0.750</b>	<b>1.350</b>	<b>1.805</b>
<b>TOTAL AUTHORIZED STAFFING</b>	<b>11.125</b>	<b>11.250</b>	<b>12.000</b>	<b>12.655</b>

# Kensington Police and Community Services District

## Fiscal Year 2019-20 Proposed Budget

### FIVE YEAR FINANCIAL FORECAST

FIVE YEAR FINANCIAL FORECAST								
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
	Actual	Actual	Projected	Budget	Projected	Projected	Projected	Projected
<b>REVENUE</b>								
Levy Tax	\$ 1,685,200	\$ 1,763,520	\$ 1,866,450	\$ 1,941,000	\$ 2,008,935	\$ 2,079,248	\$ 2,152,021	\$ 2,227,342
Special Police Tax	681,630	681,851	681,780	682,000	682,000	682,000	682,000	682,000
Measure G Supplemental Tax	527,989	548,106	565,740	588,400	608,994	630,309	652,370	675,203
Asset Seizure	143,777	-	-	-	-	-	-	-
Police Fees/Service Charges	3,369	3,100	1,920	1,500	1,500	1,545	1,591	1,639
Kensington Hilltop Services Reimb.	19,468	8,372	839	-	-	-	-	-
West County Crossing Guard Reimb.	11,151	7,010	-	-	-	-	-	-
POST Reimbursement	1,054	2,984	-	-	1,000	1,000	1,000	1,000
Grants - Police	158,951	151,363	100,000	100,000	100,000	100,000	100,000	100,000
Grants - Parks/Recreation	-	-	-	-	-	-	-	-
Special Assessment - L&L	36,220	37,481	38,841	39,000	37,500	37,500	37,500	37,500
Community Center Revenue	31,393	29,595	7,770	-	35,000	36,050	37,132	38,245
Community Center Contributions	11,000	722	-	-	-	-	-	-
Franchise Fee Revenue	55,819	54,266	50,857	51,430	52,973	54,562	56,199	57,885
Investment Income	8,213	22,416	29,500	15,200	8,000	8,000	8,000	8,000
Miscellaneous Revenue	18,545	9,562	9,200	10,200	10,000	10,000	10,000	10,000
Supplemental Workers Comp Reimb.	94,252	3,629	1,738	-	-	-	-	-
<b>Total Revenue</b>	<b>\$ 3,488,031</b>	<b>\$ 3,323,977</b>	<b>\$ 3,354,636</b>	<b>\$ 3,428,730</b>	<b>\$ 3,545,902</b>	<b>\$ 3,640,214</b>	<b>\$ 3,737,813</b>	<b>\$ 3,838,814</b>
<b>EXPENDITURES</b>								
<b>Police</b>								
Salaries and Benefits	2,025,238	1,948,453	1,892,131	2,263,094	2,319,790	2,409,192	2,504,550	2,604,782
Other Expenses	<u>246,146</u>	<u>399,908</u>	<u>273,329</u>	<u>340,451</u>	<u>350,665</u>	<u>361,184</u>	<u>372,020</u>	<u>350,665</u>
<b>Total Police</b>	<b>2,271,384</b>	<b>2,348,361</b>	<b>2,165,460</b>	<b>2,603,545</b>	<b>2,670,454</b>	<b>2,770,377</b>	<b>2,876,570</b>	<b>2,955,447</b>
<b>Parks/Recreation</b>								
Salaries and Benefits	9,059	9,064	9,270	7,307	7,526	7,542	7,769	8,002
Custodian	21,000	20,550	17,500	5,250	22,000	22,000	23,100	23,100
Community Center	14,626	10,785	14,028	6,977	3,651	5,228	3,809	5,394
Other Expenses	<u>72,147</u>	<u>58,061</u>	<u>67,431</u>	<u>106,600</u>	<u>71,500</u>	<u>63,300</u>	<u>65,254</u>	<u>67,164</u>
<b>Total Parks/Recreation</b>	<b>116,832</b>	<b>98,460</b>	<b>108,228</b>	<b>126,134</b>	<b>104,677</b>	<b>98,070</b>	<b>99,932</b>	<b>103,660</b>
<b>District Administration</b>								
Salaries and Benefits	5,938	164,065	192,395	244,739	252,081	259,644	267,433	275,456
Other Expenses	<u>428,522</u>	<u>364,558</u>	<u>413,758</u>	<u>408,624</u>	<u>413,783</u>	<u>421,046</u>	<u>438,678</u>	<u>446,688</u>
<b>Total District Administration</b>	<b>434,460</b>	<b>528,623</b>	<b>606,153</b>	<b>653,363</b>	<b>665,864</b>	<b>680,690</b>	<b>706,111</b>	<b>722,144</b>
<b>Capital Outlay</b>	<b>74,153</b>	<b>123,250</b>	<b>48,901</b>	<b>32,117</b>	<b>89,417</b>	<b>70,617</b>	<b>78,617</b>	<b>60,617</b>
<b>Total Expenditures</b>	<b>\$ 2,896,829</b>	<b>\$ 3,098,694</b>	<b>\$ 2,928,742</b>	<b>\$ 3,415,159</b>	<b>\$ 3,530,412</b>	<b>\$ 3,619,754</b>	<b>\$ 3,761,230</b>	<b>\$ 3,841,867</b>
<b>Operating Surplus (Deficit)</b>	<b>\$ 591,202</b>	<b>\$ 225,283</b>	<b>\$ 425,894</b>	<b>\$ 13,571</b>	<b>\$ 15,490</b>	<b>\$ 20,459</b>	<b>\$ (23,417)</b>	<b>\$ (3,053)</b>
<b>Projected Ending Cash Balance</b>			<b>\$ 1,042,000</b>	<b>\$ 1,055,571</b>	<b>\$ 1,071,061</b>	<b>\$ 1,091,520</b>	<b>\$ 1,068,103</b>	<b>\$ 1,065,050</b>

## APPENDIX A

### EXPENDITURE DETAIL

# Kensington Police and Community Services District

## Fiscal Year 2019-20 Proposed Budget

	FY2018-19 Budget	FY2018-19 thru 5/15/19	FY2018-19 Projected	FY 2019-20 Proposed Budget	Proposed Budget vs FY 2018-19 Projected
<b><u>POLICE</u></b>					
<b><u>Police Salaries and Benefits</u></b>					
<b><u>Salaries</u></b>					
502 Salaries - Sworn	\$ 949,954	\$ 637,511	\$ 725,580	\$ 995,791	\$ 270,211
504 Compensated Absences	9,200	5,006	5,006	9,600	4,594
506 Overtime	75,000	102,657	112,657	75,000	(37,657)
508 Salaries - Non-Sworn	<u>25,692</u>	<u>22,607</u>	<u>25,836</u>	<u>52,912</u>	<u>27,076</u>
Total Salaries	1,059,846	767,780	869,078	1,133,303	264,225
<b><u>Benefits</u></b>					
516 Uniform Allowance	9,000	5,403	5,902	8,200	2,298
518 Safety Equipment	2,500	500	1,500	2,500	1,000
521-A Health Insurance - Active	214,366	134,262	145,262	146,536	1,274
521-R Health Insurance - Retirees	150,657	146,822	164,191	186,097	21,906
521-T OPEB Trust	247,036	247,036	247,036	239,911	(7,125)
522 Disability/Life Insurance	6,940	2,539	2,710	6,246	3,536
523 Social Security/Medicare	15,484	12,224	13,970	16,537	2,567
524 Social Security/District	1,593	328	375	3,281	2,906
527 CalPERS - District Portion	358,418	316,347	332,347	405,090	72,743
528 CalPERS Employee Portion	22,691	20,346	22,746	23,393	647
530 Workers Compensation	<u>83,000</u>	<u>87,015</u>	<u>87,015</u>	<u>92,000</u>	<u>4,985</u>
Total Benefits	<u>1,111,685</u>	<u>972,819</u>	<u>1,023,053</u>	<u>1,129,791</u>	<u>106,738</u>
Total Police Salaries and Benefits	2,171,531	1,740,600	1,892,132	2,263,094	370,962
<b><u>Police Other Expenses</u></b>					
552 Police Supplies	2,200	1,379	1,576	2,200	624
553 Range/Ammunition Supplies	5,500	505	5,005	5,500	495
560 Crossing Guard	12,474	10,411	12,143	14,893	2,750
562 Vehicle Operation	27,500	26,953	30,804	30,000	(804)
564 Communications (RPD)	114,578	132,108	134,488	142,578	8,090
566 Radio Maintenance	-	-	-	-	-
568 Prisoner/Case Exp/Booking	12,000	6,797	7,768	12,000	4,232
570 Training	10,000	3,903	4,460	10,000	5,540
572 Hiring	15,750	3,896	4,453	15,750	11,297
574 Reserve Officers	4,000	-	-	4,000	4,000
576 Dues, Meals, Travel	2,850	1,923	2,198	2,850	652
580 Utilities	11,400	9,973	13,873	13,800	(73)
581 Building Maintenance and Repairs	3,000	-	-	3,000	3,000
582 Office Supplies	6,500	3,531	4,036	6,500	2,464
588 Telephone	5,280	4,448	5,210	5,280	70
590 Housekeeping	4,000	3,584	4,096	4,000	(96)
592 Publications	3,500	2,915	2,915	3,500	585
594 Community Policing	2,000	2,208	2,524	4,500	1,976
595 Legal/Consulting	50,000	21,360	28,479	50,000	21,521
596 CAL- I.D.	6,100	5,525	5,525	6,100	575
599 Measure G Administration	<u>4,000</u>	<u>3,776</u>	<u>3,776</u>	<u>4,000</u>	<u>224</u>
Total Police Other Expenses	302,632	245,195	273,329	340,451	67,122
<b>TOTAL POLICE EXPENSES</b>	<b>\$ 2,474,163</b>	<b>\$ 1,985,795</b>	<b>\$ 2,165,460</b>	<b>\$ 2,603,545</b>	<b>\$ 438,085</b>

# Kensington Police and Community Services District

## Fiscal Year 2019-20 Proposed Budget

	FY2018-19 Budget	FY2018-19 thru 5/15/19	FY2018-19 Projected	FY 2019-20 Proposed Budget	Proposed Budget vs FY 2018-19 Projected
<b><u>PARKS/RECREATION</u></b>					
<b><u>Parks/Recreation Salaries and Benefits</u></b>					
601 Salaries	\$ 8,564	\$ 7,535	\$ 8,611	\$ 6,788	\$ (1,823)
623 Social Security/Medicare	655	576	659	519	(140)
Total Parks/Recreation Salaries and Benefits	9,219	8,111	9,270	7,307	(1,963)
602 Custodian	22,750	17,500	17,500	5,250	(12,250)
<b><u>Community Center</u></b>					
642 Utilities	6,636	4,593	5,249	1,327	(3,922)
643 Janitorial Supplies	1,250	6,489	6,489	250	(6,239)
646 Facility Repairs	1,500	600	600	2,400	1,800
648 Equipment Maintenance	3,000	1,690	1,690	3,000	1,310
Total Community Center Expenses	12,386	13,372	14,028	6,977	(7,051)
<b><u>Other Parks/Recreation Expenses</u></b>					
666 Annex Repairs	1,000	-	-	-	-
668 Annex - Miscellaneous Expenses	1,000	-	-	-	-
670 Gardening Supplies	1,000	-	-	1,000	1,000
672 Kensington Park O&M	69,600	59,002	67,431	94,600	27,169
674 Tennis Court Maintenance	1,000	-	-	10,000	10,000
678 Miscellaneous Expenses	1,000	-	-	1,000	1,000
Total Other Parks/Recreation Expenses	74,600	59,002	67,431	106,600	39,169
<b>TOTAL PARKS/RECREATION EXPENSES</b>	<b>\$ 118,955</b>	<b>\$ 97,985</b>	<b>\$ 108,228</b>	<b>\$ 126,134</b>	<b>\$ 17,906</b>

# Kensington Police and Community Services District

## Fiscal Year 2019-20 Proposed Budget

	FY2018-19 Budget	FY2018-19 thru 5/15/19	FY2018-19 Projected	FY 2019-20 Proposed Budget	Proposed Budget vs FY 2018-19 Projected
<b><u>DISTRICT ADMINISTRATION</u></b>					
<b><u>District Administration Salaries and Benefits</u></b>					
808 Salaries	\$ 181,531	\$ 156,176	\$ 178,487	\$ 227,347	\$ 48,860
809 Payroll Taxes	13,887	12,169	13,908	17,392	3,484
Total District Administration Salaries and Benefits	195,418	168,345	192,395	244,739	52,344
<b><u>District Administration Other Expenses</u></b>					
810 Computer Maintenance	26,538	22,203	25,375	30,088	4,713
815 Admin Communications	7,000	4,061	5,150	5,000	(150)
820 Copier Contract	5,045	5,119	5,499	6,893	1,394
830 Legal	55,880	80,015	106,686	80,840	(25,846)
835 Consulting	44,000	47,802	57,802	25,800	(32,002)
840 Accounting	59,250	41,569	50,069	51,450	1,382
850 Insurance	39,000	42,391	42,391	70,000	27,609
860 Elections	10,000	6,387	6,387	-	(6,387)
865 Police Building Lease	35,468	36,036	36,036	36,603	567
870 County Expense	21,800	22,321	22,521	24,300	1,779
890 Waste/Recycle	16,500	2,031	32,031	51,000	18,969
898 Miscellaneous Expenses	25,650	20,836	23,813	26,650	2,837
Total District Administration Other Expenses	346,131	330,769	413,758	408,624	(5,134)
<b>TOTAL DISTRICT ADMINISTRATION EXPENSES</b>	<b>\$ 541,549</b>	<b>\$ 499,115</b>	<b>\$ 606,152</b>	<b>\$ 653,363</b>	<b>\$ 47,211</b>
<b><u>CAPITAL OUTLAY</u></b>					
962 Patrol Cars	-	-	-	-	-
963 Patrol Car Accessories	-	-	-	-	-
965 Personal Police Equipment	-	-	-	-	-
966 Traffic Equipment	8,800	-	-	-	-
967 Station Equipment	-	-	-	-	-
969 Computer Equipment	3,000	1,124	1,124	1,500	376
972 Park Buildings Improvements	-	37,777	47,777	-	(47,777)
974 Other Park Improvements	5,000	-	-	-	-
975 Community Center Loan Repayment	-	-	-	30,617	30,617
978 Parks/Recreation Furniture/Equipment	44,500	-	-	-	-
<b>TOTAL CAPITAL OUTLAY</b>	<b>\$ 61,300</b>	<b>\$ 38,901</b>	<b>\$ 48,901</b>	<b>\$ 32,117</b>	<b>\$ (16,784)</b>
<b>TOTAL DISTRICT OPERATING/CAPITAL EXPENSES</b>	<b>\$ 3,195,967</b>	<b>\$ 2,621,795</b>	<b>\$ 2,928,742</b>	<b>\$ 3,415,159</b>	<b>\$ 486,417</b>
<b>CAPITAL PROJECT FUND - Community Center Renovation</b>				<b>\$ 1,761,670</b>	

## APPENDIX B

# APPROPRIATIONS LIMIT CALCULATION

**Kensington Police and Community Services District**  
Fiscal Year 2019-20 Proposed Budget

**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT  
APPROPRIATIONS LIMITATION**

The appropriations limitation imposed by Proposition 4 and modified by Proposition 222 creates a restriction on the amount of revenue which can be appropriated in any fiscal year. The revenues which are subject to the limitation are those considered "proceeds of taxes." The basis for calculating the limit began in 1978-79 and is increased each year based on population growth and inflation.

FY 2018-19 Limitation \$4,375,000

Annual Adjustment (2019-20):

Change in Population	=	0.70 percent
Change in California Per Capita Personal Income	=	3.85 percent

Population Factor Converted to a Ratio = 1.0070

Per Capita Factor Converted to a Ratio = 1.0385

**Calculation of FY 2019-20 Appropriation Limitation**

**$\$4,375,000 \times 1.0070 \times 1.0385 = \underline{\underline{\$4,575,241}}$**

**Appropriations Subject To Limitation = \$3,265,400**

## APPENDIX C

# **BUDGET ADOPTION RESOLUTION**

**Kensington Police and Community Services District**  
**Fiscal Year 2019-20 Proposed Budget**

**RESOLUTION NO. 2019-**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT**  
**ADOPTING THE BUDGET FOR FISCAL YEAR 2019-20**

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

**WHEREAS**, The General Manager has prepared and submitted to the Board of Directors a Proposed Budget for the fiscal year commencing July 1, 2019 and ending June 30, 2020; and

**WHEREAS**, the Board of Directors and Finance Committee have reviewed the Proposed Budget in detail; and

**WHEREAS**, the Board of Directors held a public hearing on the Proposed Budget on June 13, 2019, where all interested persons were heard.

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

1. The Board of Directors hereby adopts the Budget for Fiscal Year 2019-20 as presented and amended at this meeting.
2. The sums of money therein set forth are hereby appropriated from revenues of the District to the departments, functions and activities therein set forth for expenditures during the Fiscal Year 2019-20.
3. The Board of Directors authorizes the establishment of a Capital Fund for recording revenues and expenditures associated with the Community Center Renovation Project and hereby authorizes the transfer of unexpended revenues designated for the Community Center Project from the District's General Fund to the Capital Fund.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote to wit:

AYES: \_\_\_\_\_  
Eileen Nottoli, President

NOES: \_\_\_\_\_  
Sylvia Hacaj, Vice President

ABSENT: \_\_\_\_\_  
Rachelle Sherris-Watt, Director

\_\_\_\_\_  
Christopher Deppe, Director

\_\_\_\_\_  
Cyrus Mondavi, Director

**RESOLUTION NO. 2019-08**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT**  
**ADOPTING THE BUDGET FOR FISCAL YEAR 2019-20**

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

**WHEREAS**, The General Manager has prepared and submitted to the Board of Directors a Proposed Budget for the fiscal year commencing July 1, 2019 and ending June 30, 2020; and

**WHEREAS**, the Board of Directors and Finance Committee have reviewed the Proposed Budget in detail; and

**WHEREAS**, the Board of Directors held a public hearing on the Proposed Budget on June 13, 2019, where all interested persons were heard.

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

1. The Board of Directors hereby adopts the Budget for Fiscal Year 2019-20 as presented and amended at this meeting.
2. The sums of money therein set forth are hereby appropriated from revenues of the District to the departments, functions and activities therein set forth for expenditures during the Fiscal Year 2019-20.
3. The Board of Directors authorizes the establishment of a Capital Fund for recording revenues and expenditures associated with the Community Center Renovation Project and hereby authorizes the transfer of unexpended revenues designated for the Community Center Project from the District's General Fund to the Capital Fund.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote to wit:

AYES: \_\_\_\_\_  
Eileen Nottoli, President

NOES: \_\_\_\_\_  
Sylvia Hacaj, Vice President

ABSENT: \_\_\_\_\_  
Rachelle Sherris-Watt, Director

\_\_\_\_\_  
Christopher Deppe, Director

\_\_\_\_\_  
Cyrus Mondavi, Director

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
District General Manager

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

JUNE 13, 2019

ITEM 10.b.i

**RESOLUTION (2019-11) OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT ESTABLISHING THE ANNUAL SUPPLEMENTAL SPECIAL TAX FOR POLICE PROTECTION**

**BACKGROUND** On June 8, 2010, the voters of the Kensington Police Protection and Community Services District approved Measure G, a supplemental special tax in the amount of \$200 per for single family parcels, with amounts for properties in other use categories identified in Ordinance No. 2016-12. The revenue from these actions was to provide a source of funding to be used for purposes directly related to police protection services. A four-year history of the Supplemental Tax is summarized in the chart below.

<b>Supplemental Tax – Per Parcel</b>				
<b>Class of Improvement/Use*</b>	<b>FY 2015/16</b>	<b>FY 2016/17</b>	<b>FY 2017/18</b>	<b>FY 2018/19</b>
Single Family Residential	\$226.28	\$232.38	\$241.18	\$248.94
Multi-Family Residential	\$339.42	\$348.57	\$361.78	\$373.41
Commercial & Institutional	\$339.42	\$348.57	\$361.78	\$373.41
Misc. Improved Property	\$226.28	\$232.38	\$241.18	\$248.94
Unimproved Property	\$ 67.88	\$ 69.71	\$ 72.35	\$ 74.68

\*Class of Improvement or Use will be determined annually based on data from the Contra Costa County Assessor.

Section 4 of the authorizing ordinance requires the District’s General Manager to file a report with the Board of Directors no later than June 30<sup>th</sup> of each year. The report shall contain both of the following:

- (1) The amount of funds collected and expended under this Ordinance:
  - The total amount of funds collected and expended in FY 2018/19 is \$565,740.06
  
- (2) The status of any project required or authorized to be funded to carry out the purposes set forth in this Ordinance.
  - The funds collected and expended under Measure G were utilized solely for police protection services. As specified in Section 3 of the authorizing ordinance, the purpose

of this Supplemental Tax is to raise revenue only for the purposes of obtaining, providing, operating, maintaining and expanding the police protection service, facilities and equipment, for paying the salaries and benefits to police personnel, and for such other necessary police protection services expenses of the District.

For Fiscal Year 2019-20, the maximum annual amount of the Supplemental Tax for each category of property shall be determined by multiplying the preceding fiscal year’s maximum special tax by an inflation factor in an amount not to exceed the increase in the Consumer Price Index as published by the U.S. Department of Labor for the April to April San Francisco-Oakland-San Jose area (the “Consumer Price Index”). The following table shows the maximum Supplemental Special Tax for Fiscal Year 2018/19 and Fiscal Year 2019/20. The increase in the Consumer Price Index from Fiscal Year 2018/19 to Fiscal Year 2019/20 is 4.014%.

<b>Class of Improvement or Use*</b>	<b>2018/19 Maximum Tax</b>	<b>2019/20 Maximum Tax</b>
Single Family Residential	\$248.94 per parcel	\$258.93 per parcel
Multiple Unit Residential	373.41 per parcel	388.40 per parcel
Commercial and Institutional	373.41 per parcel	388.40 per parcel
Miscellaneous Improved Property	248.94 per parcel	258.93 per parcel
Unimproved Property	74.68 per parcel	77.68 per parcel

It is recommended that the Board of Directors approve the 2019/20 Maximum Tax as identified in the above table. The amounts approved by the Board of Directors should be included in the resolution when adopted.

**RECOMMENDATION:**

1. Discuss and receive comments;
2. Adopt Resolution 2019-11

**FISCAL IMPACT:** Anticipated annual revenue of \$588,448.87

**ATTACHMENT:** Resolution 2019-11

**SUBMITTED BY:** Anthony Constantouros, General Manager

**RESOLUTION NO. 2019-11**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT**  
**ESTABLISHING THE ANNUAL SUPPLEMENTAL SPECIAL TAX FOR POLICE PROTECTION**

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

**WHEREAS**, in 2010, the voters of the Kensington Police Protection and Community Services District (the “District”) approved a supplemental special tax (the “Supplemental Special Tax”) in the amount of \$200 per year for single family residential parcels, with amounts for properties in other use categories identified in Ordinance No. 2010-01, to provide a source of funding for police protection services.

**WHEREAS**, for Fiscal Year 2019/20, the maximum annual amount of the Supplemental Special Tax for each category of property shall be determined by multiplying the preceding fiscal year’s maximum special tax by an inflation factor in an amount not to exceed the increase in the Consumer Price Index as published by the U.S. Department of Labor for the April to April San Francisco-Oakland-San Jose area (the “Consumer Price Index”). The following table shows the maximum Supplemental Special Tax for Fiscal Year 2018/19 and Fiscal year 2019/20. The increase in the Consumer Price Index from Fiscal Year 2018/19 to Fiscal Year 2019/20 is 4.014%.

<b>Class of Improvement or Use*</b>	<b>2018/19 Maximum Tax</b>	<b>2019/20 Maximum Tax</b>
Single Family Residential	\$248.94 per parcel	\$258.93 per parcel
Multiple Unit Residential	373.41 per parcel	388.40 per parcel
Commercial and Institutional	373.41 per parcel	388.40 per parcel
Miscellaneous Improved Property	248.94 per parcel	258.93 per parcel
Unimproved Property	74.68 per parcel	77.68 per parcel

\*Class of Improvement or Use will be determined annually based on data from the Contra Costa County Assessor.

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

- The Board of Directors hereby declares its intention to levy the Supplemental Special Tax for the Fiscal Year, July 1, 2019 through June 30, 2020 in the following amounts.

Class of Improvement or Use*	2019/20 Supplemental Tax
Single Family Residential	\$ per parcel
Multiple Unit Residential	\$ per parcel
Commercial and Institutional	\$ per parcel
Miscellaneous Improved Property	\$ per parcel
Unimproved Property	\$ per parcel

\*Class of Improvement or Use will be determined annually based on data from the Contra Costa County Assessor.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote to wit:

AYES: \_\_\_\_\_  
 \_\_\_\_\_  
 Eileen Nottoli, President

NOES: \_\_\_\_\_  
 \_\_\_\_\_  
 Sylvia Hacaj, Vice President

ABSENT: \_\_\_\_\_  
 \_\_\_\_\_  
 Rachelle Sherris-Watt, Director

\_\_\_\_\_  
 Christopher Deppe, Director

\_\_\_\_\_  
 Cyrus Modavi, Director

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
 Tony Constantouros, General Manager

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS MEETING**

**JUNE 13, 2019**

**ITEM 10.c.i**

**RESOLUTION MAKING ADDITIONAL MINOR AMENDMENTS TO BOARD POLICY  
CHAPTER 3000 “PERSONNEL MANAGEMENT” AS A RESULT OF ADDITIONAL PUBLIC  
AND BOARD COMMENTS**

**BACKGROUND**

After soliciting public input and Board discussion at the April 25, 2019 and May 25, 2019 Board meetings, the Board adopted Policy Chapter 3000 titled “Personnel Management” at the May 25<sup>th</sup> meeting. However, the Board and General Manager wished to make additional amendments which, taken together, amount to minor changes in language that clarify the Board’s intent with this Policy and/or improve the grammar and syntax for purposes of reader comprehension.

It is important to point out that all comments and suggested changes by Board members or the public were considered before making these recommendations.

A revised Policy Chapter 3000 is attached in “track changes” mode to highlight the requested changes from the May 25<sup>th</sup> version.

Key topic areas for change, include:

- Various changes that clarify the Police Chief and Captain are subject to these policies if they don’t conflict with other agreements;
- Refinement on the list of prohibited conduct for District employees that could result in discipline;
- More clarity and flexibility on performance evaluations but still communicating to everyone what employees can expect from their employer; and,
- Removing reference to the District’s Electronic Resources Policy and Drug Free Awareness Program that has yet to be adopted.

Key topic areas that were considered, but not changed, include:

- Various proposals to edit the language around “at will” employment status and how this status reconciles with other sections of the Policy e.g. codes of conduct, performance evaluations and grievance procedures. Including such policies do not detract from the an employee’s “at will” status. Many employers have these same or similar policies and have “at will” employees as well. The policies communicate

processes and overall expectations to employees as part of proactively addressing employment matters in the most timely, efficient and fair way.

- Various comments and proposed changes to Section 3150.5 Overtime were considered and did not result in language changes. California public agencies are exempt from a significant portion of wage orders and overtime requirements from the Department of Industrial Relations. Thus, specific references to this agency is not helpful. The current policy language reflects the legal obligation of the District. Any additional overtime provisions would be an enhanced benefit that should be addressed as part of the budget process.

**RECOMMENDATION**

Solicit and consider public and/or Board members' comments.

**ATTACHMENTS:**

Revised Policy 3000 Personnel Management (in track changes mode)

**SUBMITTED BY:** Anthony Constantouros, General Manager

## DRAFT

### PERSONNEL MANAGEMENT

#### Policy 3000.1 Introduction and Applicability

These Personnel Policies, Rules and Regulations (hereinafter referred to as the “Rules”) are applicable to the Chief of Police where not in conflict with any applicable employment agreement or operable memorandum of understanding, -and all non-sworn employees of the District ~~and the Chief of Police.~~

None of the information contained in these Rules is intended in any way to create, or shall be construed as creating, an express or implied contract of employment nor does it guarantee any employee continued employment with the District. Employment with the District is “at-will,” which means the District retains the right at any time to terminate any employee from employment with the District for any or no reason and without notice. Notwithstanding the foregoing, no employee may be terminated for any reason prohibited by law.

In its sole discretion, District management may determine what if it is in the best interest of the District. The District reserves and retains the rights and responsibilities to administer, manage, direct and control the activities and work forces of the District, including, but not limited to, the right to: reassign and relocate personnel within the District; determine the size and composition of the workforce; terminate employees; and determine the nature and extent of services to be performed and provided. The foregoing rights, together with the right to determine the methods, processes and manner of performing work, are vested exclusively in with the District.

No conduct, exception or variation of or from these Rules shall constitute, be deemed to be, or become an amendment, practice, interpretation, modification, repeal or suspension of any of these Rules

Concurrently with signing a District at-will employment acknowledgement, or following adoption by the Board of these Rules, each employee shall be given a copy of these Rules and shall sign the acknowledgment in Appendix 3000 A. Each employee is -his/her-responsibility for reading these Rules and shall agree to be bound by and comply with these Rules.

In the event of an emergency, any part or all of these Rules may be temporarily suspended by order of the General Manager and such suspension shall remain in effect until the General Manager’s order is withdrawn.

#### **POLICY 3110: Disciplinary Action**

##### **3110.1 Prohibited Conduct:**

The following conduct is ~~also~~ prohibited and will not be tolerated by the District. The types of misconduct identified below are merely examples of conduct that may lead to disciplinary action. They do not constitute a complete list of all types of conduct that can result in disciplinary action, up to and including discharge. Neither this list of prohibited conduct, nor the disciplinary action referenced, below alters the at-will employment relationship.

1. Unlawful harassment.
2. Stealing or removing, without permission, the District property or property of another employee, director, contractor, or member of the public.
3. Engaging in acts of violence or threats of violence toward any employees, director, contractor, or member of the public.
4. Causing, creating, or participating in a disruption of any kind during working hours on District organization property.
5. Participating in horseplay or practical jokes on agency time or on agency premises.
6. Violating any of the District professional, safety or health rules.
7. Possession or use of alcoholic beverages, or possession or use of illegal drugs, or being under the influence of alcohol or illegal drugs on District premises.
8. Falsification, failure to submit or the intentional [1] destruction or intentional loss of employment records, employment information, or other the District records including but not limited to changes of relationship, child or family assessments, ] time sheets or scans, and mileage sheets.
9. Engaging in acts of theft or sabotage of equipment, facilities, the District time, documents or any other District proprietary information or documents.
10. Unauthorized use of the District equipment, time, materials, or facilities.
11. Giving the District's property away free of charge or at a discount to any person or in violation of District's policies.
12. Deliberate destruction or damage to any ~~the~~ District property or the property of any -other person on District property employee, client, or visitor.
13. Bringing or possessing firearms, weapons, or any other hazardous or dangerous devices on the District property except for the Chief of Police ~~or during on-duty time.~~
14. Neglect or carelessness that results in damage or destruction of customer or the District property or endangers the life or health of any person.
15. Breach of confidentiality
16. Pleading guilty to or being convicted of a crime that indicates the employee is unfit for the job or poses a threat to the safety or well-being of the District or any person's employees, customers, or property.
17. Failure to observe OSHA or Cal OSHA regulations.
18. Any deliberate action that is harmful to any person staff, clients or the District ~~in nature and/or~~ is detrimental to the District's efforts to operate effectively ~~and profitably.~~

19. Insubordination, including, but not limited to, failure or refusal to obey the instructions of a supervisor or the use of abusive or threatening language or behavior toward a supervisor.
20. Violations ~~of involving~~ any nondisclosure (secrecy) agreement or failure to maintain the confidentiality of the District's proprietary or confidential information.
21. Unsafe handling of equipment and/or hazardous materials/chemicals.
22. Unsatisfactory job performance.
23. Smoking, including the use any electronic smoking devices (e.g., e-cigarettes), in restricted areas or where "No Smoking" signs are posted. All District facilities are nonsmoking, including parking lots and outdoor areas that are part of the facility.
24. Failure to comply with observed working schedules, including lunch and/or break periods.
25. Any action that involves unsafe conduct.
26. Reporting working time, mileage, expense reports or other documents inaccurately.
27. Working unauthorized overtime or refusing to work assigned overtime.
28. ~~Repeated~~ Repeated ~~t~~Hardiness.
29. Unreported absence of three (3) consecutive scheduled workdays.
30. Failure to obtain permission to leave work for any reason during normal working hours.
31. Failure to notify supervisor or other appropriate staff when unable to report to work.
32. Sleeping on the job.
33. Inappropriate appearance or grooming as defined by District in memos, procedures or other communication.
34. Failure to promptly report to a supervisor the loss of or known malfunctioning of keys, tools, vehicles, identification badges, credit cards, or equipment, electrical or mechanical.
35. Convictions for serious traffic violations or driving under the influence of alcohol or drugs while performing the District business and/or in a District vehicle.
36. Reckless or negligent use of and/or damage to a District vehicle.
37. Failure to provide a physician's certificate when requested or required to do so.
38. Committing a fraudulent act or a breach of trust under any circumstances.
39. Engaging in any conduct that is not in the best interest of the District.<sup>1</sup>
40. Unauthorized access to personnel files.

41. Unauthorized copying or distribution of confidential documents to anyone or any organization without the advance approval of the General Manager.

42. Unauthorized representation by an employee of the District's position on any matter.]

Note: With at-will employment, either the employee or the District can terminate the employment relationship without any cause, without any reason or notice, and in the absence of employee misconduct.

### **3110.2 Discipline:**

If a supervisor or the General Manager is concerned about an employee's job performance, or if the employee is not meeting job expectations, the supervisor may take further action to communicate this concern. Appropriate discipline for performance is not considered harassment.

## **POLICY 3120: Employment Status**

### **3120.1 At-will Employment:**

Employment by at the District is at-will, meaning that either the District or the employee may terminate the employment relationship at any time for any lawful reason. No District employee has any authority to make any agreement or representation contrary to District's policy of at-will employment, except that the Board or the General Manager may occasionally enter into severance agreements in the business interest of District and in accordance with the law.

As a condition of employment, each employee must execute an At-Will Employment Agreement prior to beginning employment with the District. Employees may be required to re-sign the acknowledgement in Appendix 3000 A at other points during employment with District, for example, when these Rules are updated.

### **3120.2 Regular Employees:**

#### **3120.2.1 Full-Time Employees**

Regular full-time employees are those whose normal workweek is at least forty (40) hours per week. Full-time employees may be paid on an hourly basis or a salaried basis at the District's discretion. Full-time employees are eligible for all District-sponsored benefits on the first day of the first full month following the date of hire.

#### **3120.2.2 Part-Time Employees**

Regular part-time employees are those whose normal workweek is fewer than forty (40) hours per week

### **3120.3 Temporary Employees:**

Temporary employees are those whose services are intended to be of limited duration. Temporary employees may be full-time or part-time. An employee's status will not change from temporary to regular unless the employee is advised of such a change in writing by the General Manager (or designee). Temporary employees are not eligible for any District-sponsored benefits except as set forth in these Rules and to the extent mandated by state and federal law.

#### **3120.4 Exempt & Non-Exempt Employment Status:**

##### **3120.4.1 Exempt Employees**

Exempt employees are those employees, including executive, professional, and administrative employees, who are excluded (or "exempt") from the overtime provisions of federal and state wage and hour law and are therefore not entitled to overtime pay.

##### **3120.4.2 Non-Exempt Employees**

Nonexempt employees are those employees who are covered by the overtime provisions of federal and state wage and hour law and are entitled to overtime pay in accordance with Section [3150.5](#) (Overtime).

##### **3120.4.3 Designation of Confidential Employees**

The General Manager may designate any Regular Employee as a "Confidential Employee." Confidential Employees can access personnel files [\(except those of sworn personnel\)](#) <sup>[2]</sup> and have limited access to attorney-client privileged documents with the prior authorization and approval of the General Manager.

#### **POLICY 3130: Equal Employment Opportunity**

The District affords equal employment opportunity to all qualified employees and applicants as to all terms and conditions of employment, including compensation, hiring, training, promotion, transfer, discipline and termination.

##### **3130.1 Policy Against Discrimination, Harassment, and Retaliation:**

###### **3130.1.1 Purpose**

The purpose of this policy is to establish a strong commitment to prohibiting harassment, discrimination, and retaliation in employment; to define discrimination, harassment, and retaliation; and to set forth a procedure for investigating and resolving such complaints.

The District is committed to providing a work environment that is free of discrimination and harassment. In keeping with this policy, the District strictly prohibits discrimination and harassment of any kind, including discrimination and harassment on the basis of race, color, religion, sexual orientation, sex (including harassment and discrimination based on pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, citizenship,

national origin, ancestry, age (40 or older), physical disability, mental disability, medical condition as defined by California law), genetic information, marital status, military and veteran status, political activity or affiliation, taking or requesting statutorily protected leave, or any other characteristics protected under federal, state, or local laws.

The law prohibits any District employee, supervisor or manager, intern, or volunteer<sup>(3)</sup>, or ~~third party~~ with whom the employee comes into contact, from engaging in unlawful discriminatory, harassing, or retaliatory conduct.

As a condition of employment, each employee must execute an acknowledgment and agreement regarding the District's policy prohibiting discrimination, harassment and retaliation form as found in Appendix 3000 B.

### **3130.1.2 Discrimination:**

#### **3130.1.2.1 Policy Against Discrimination**

The District prohibits and will not tolerate discrimination on the basis of race, color, religion, sexual orientation, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, citizenship, national origin, ancestry, age (40 or older), physical disability, mental disability, medical condition (as defined by California law), genetic information, marital status, military and veteran status, political activity or affiliation, taking or requesting statutorily protected leave, or any other basis protected by federal, state or local law ("Protected Status"). Violations of this policy may result in disciplinary action, up to and including termination of employment.

#### **3130.1.2.2 Definition of Discrimination**

Discriminatory actions may include treating a person differently or subjecting a person to different treatment due to a person's actual or perceived Protected Status in a way that adversely affects the person's employment. Such treatment may include but is not limited to: refusing to hire or employ a person; discharging a person from employment; refusing to select for or discharging a person from a training program leading to employment; or treating a person differently in compensation or with regard to other terms, conditions, or privileges of employment.

### **3130.1.3 Harassment:**

#### **3130.1.3.1 Policy Against Harassment**

The District prohibits and will not tolerate harassment on the basis of race, color, religion, sexual orientation, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, citizenship, national origin, ancestry, age (40 or older), physical disability, mental disability, medical condition (as defined by California law), genetic information, marital status, military and veteran status, political activity or affiliation, taking or requesting statutorily protected leave, or any other basis protected by federal, state or local law ("Protected Status").

The District prohibits any and all conduct that may reasonably be interpreted as harassment as defined below, whether or not such conduct is severe or pervasive enough to meet the legal definition of harassment. Violations of this policy may result in disciplinary action, up to and including termination of employment.

### **3130.1.3.2 Types of Harassment**

Harassment may include:

- Verbal harassment – such as jokes, epithets, slurs, negative stereotyping, and unwelcome remarks about an individual’s body, color, physical characteristics, or appearance, questions about a person’s sexual practices, or gossiping about sexual relations;
- Physical harassment – such as physical interference with normal work, impeding or blocking movement, assault, unwelcome physical contact, leering at a person’s body, and threatening, intimidating, or hostile acts that relate to a Protected Status;
- Visual harassment – such as offensive or obscene photographs, calendars, posters, cards, cartoons, e-mails, drawings, and gestures, display of sexually suggestive or lewd objects, unwelcome notes or letters, and any other written or graphic material that denigrates or shows hostility or aversion toward an individual, because of a Protected Status, that is placed or displayed on walls, bulletin boards, computers or elsewhere on the employer’s premises or circulated in the workplace.

### **3130.1.3.3 Sexual Harassment**

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include a range of behaviors and may involve individuals of the same or different gender. Sexually harassing conduct need not be motivated by sexual desire and may include nonsexual conduct motivated by the harasser’s hostility toward the victim’s gender, or toward the victim’s nonconformity with gender stereotypes.

Examples of sexual harassment may include, but are not limited to:

- Physical conduct including unwelcome touching, intentionally blocking normal movement, pinching, patting, or coerced sexual conduct;
- Verbal conduct including making derogatory comments, sexually explicit jokes, slurs, sexual innuendo and insults, or comments about an individual’s body or dress;

- Visual conduct including leering or displaying sexually oriented posters, photography, cartoons, drawings, emails, or gestures;
- Offering employment benefits in exchange for sexual favors; and
- Taking or threatening reprisals after a negative response to sexual advances.

#### **3130.1.3.4 Harassment Based on Other Protected Status**

Harassment on the basis of other Protected Status is also prohibited. Such harassment includes physical, verbal, and visual conduct when such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

#### **3130.1.4 Retaliation:**

##### **3130.1.4.1 Policy Against Retaliation**

The District prohibits employees and officers from taking any Adverse Action (as that term is defined below) against an employee because he/she in good faith engaged in a Protected Activity (as that term is defined below).

Retaliation is strictly prohibited, and complaints of retaliation will be promptly and thoroughly investigated in accordance with the District’s investigation procedures. Violations of this policy may result in disciplinary action, up to and including termination of employment.

##### **3130.1.4.2 Definition of Protected Activity**

“Protected Activity” may include, but is not limited to, any of the following:

- Reporting any incidents of harassment or discrimination, or perceived harassment or discrimination;
- Participating in any investigation relating to a complaint of harassment or discrimination;
- Filing a complaint with a federal or state agency;
- Participating in or cooperating with a federal or state enforcement agency that is conducting an investigation of the District regarding alleged unlawful activity;
- Testifying as a party or witness regarding alleged unlawful activity;
- Associating with another employee who is engaged in a Protected Activity;
- Making or filing a complaint regarding alleged unlawful activity;
- Calling a governmental agency’s “Whistleblower hotline” and
- Reporting suspected fraud, in good faith, ~~consistent with Policy 2020.7~~

##### **3130.1.4.3 Definition of Adverse Action**

“Adverse Action” may include, but is not limited to, any of the following:

- Real or implied threats of intimidation to attempt or prevent an individual from reporting alleged wrongdoing;
- Refusing to hire an individual because of Protected Activity;
- Denying promotion to an individual because of Protected Activity;
- Taking any form of disciplinary action because of Protected Activity;
- Altering work schedules or work assignments because of Protected Activity.

### **3130.2 Complaint Process:**

#### **3130.2.1 Reporting a Complaint**

The District encourages the reporting of all incidents of prohibited harassment, discrimination, or retaliation, regardless of the identity of the offender. If you believe you have been subject to harassment, discrimination, or retaliation by a District employee, supervisor, manager, or a third party, or have been denied an equal employment opportunity, you must bring the matter to the attention of the General Manager or General Counsel as soon as possible. If, for any reason, you do not feel comfortable discussing the matter with the General Manager, you should bring the matter to the attention the General Counsel. Reports must be made promptly so that any concerns can be investigated and addressed appropriately.

Any District employee with supervisory responsibilities who has knowledge that an employee, other supervisor, manager, intern, volunteer, ~~client~~, or other ~~person business contact~~ has been subject to conduct in violation of District policy prohibiting discrimination, harassment, and retaliation should immediately inform the General Manager so that prompt action can be taken to resolve the matter.

#### **3130.2.2 Investigation**

Complaints will go through a two-stage process. Initially, the General Manager, in consultation with the General Counsel, will complete an informal review of the merits of the complaint to determine future steps, if any. If the complaint involves the General Manager, the General Counsel will make the determination in consultation with the Board President. If the complaint involves the General Counsel, the General Manager will make the determination in consultation with the Board President. Baseless and frivolous complaints will not be further processed. Those complaints requiring further processing will be investigated. These complaints will be promptly and thoroughly investigated by an impartial and qualified person in a confidential manner, to the extent possible, appropriate and allowable under the circumstances and by law. As appropriate, informal reviews and investigations will include documentation and proper tracking to ensure reasonable progress and provide all parties appropriate due process and reach reasonable conclusions based on the evidence collected. Every employee who brings forth a complaint is entitled to a timely response and a timely closure.

All employees and supervisors have a duty to cooperate in the investigation of alleged harassment, discrimination or retaliation. Failing to cooperate or deliberately providing false information during an investigation shall be grounds for disciplinary action, up to and including termination of employment.

### **3130.2.3 Remedial Action**

At the conclusion of the investigation, if it is determined that a violation of policy has occurred, the District will take effective remedial action commensurate with the severity of the offense. This action may include disciplinary action against the accused party, up to and including termination. Steps will be taken, as reasonable and necessary, to prevent any further violations of policy.

In addition to District's internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute complaints of harassment, discrimination, and retaliation in employment.

Information about the EEOC complaint procedure can be found on its website ([www.eeoc.gov](http://www.eeoc.gov)). You may also contact the EEOC may be contacted at:

1-800-669-4000 (English)

1-800-669-6820 (TTY)

Information about the DFEH can be found on its website ([www.dfeh.ca.gov](http://www.dfeh.ca.gov)). You may also contact the DFEH at the following numbers if you are calling within California:

1-800-884-1684 (English)

1-800-700-2320 (TTY)

This policy can be modified unilaterally by the District at any time without notice. Modification may be necessary to maintain compliance with local, state, and federal laws and/or accommodate organizational changes within the District.

### **POLICY 3140: Grievance Policy**

A grievance is defined as any complaint about the application of District [policies and procedures]. At some time, current employees may have a complaint about their job, their working conditions, or the treatment they are receiving. Current employees' good-faith complaints are of concern to the District. When a current employee has a job-related concern or complaint, the District encourages them to take the following steps:

- Step 1: Within a week of the events that gave rise to the grievance, bring the situation to the attention of your direct supervisor who will then investigate, as necessary, and provide a resolution or explanation. The District emphasizes that an employee is not required to bring their grievance first to their direct supervisor if the grievance is

against the supervisor. The employee may then take their grievance directly to the General Manager (or designee). A supervisor cannot investigate a grievance brought to him/her by his/her staff if the complaint is directed at an employee who is the equivalent or higher in terms of position to the supervisor. All such grievance must be directed to the General Manager (or designee). If the complaint is not addressed to your satisfaction then proceed to Step 2.

Step 2: If the problem persists, you may submit a written request to the General Counsel within ten (10) business days of the outcome of the initial investigation, which will then investigate, as necessary, and provide a resolution or explanation. It is recommended that you bring the matter to the District General Counsel as soon as possible after you believe that your immediate supervisor and/or the General Manager has failed to resolve the matter.

This procedure, which we believe is important for both you and District, may not necessarily result in every problem being resolved to your satisfaction.

If the grievance is against the General Counsel, it should be submitted to the General Manager. If it involves the General Manager, the employee may submit the complaint with the General Counsel. In either event, the receiving party will consult with the Board President.

Nothing contained herein affords, or is intended to afford, a terminated employee any right to appeal his or her discharge or to receive a hearing in connection with a discharge. Moreover, nothing in this Grievance Policy eliminates or modifies employees' at-will status.

## **POLICY 3150: Work Hours and Compensation**

### **3150.1 Punctuality and Attendance**

Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized District business. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided whenever possible. Abuse of late arrival, early departure or other unscheduled absences is grounds for disciplinary action, up to and including termination.

If you know in advance that you are going to be absent, you must schedule the absence with your supervisor at least one (1) week in advance [or as soon as reasonably possible](#).

If you are unable to report for work on any particular day, you must call and speak directly with a supervisor at least one (1) hour before the time you are scheduled to begin working for that day. If you call less than one (1) hour before your scheduled time to begin work, you will be considered tardy for that day.

If you are absent for three (3) consecutive scheduled workdays without contacting your supervisor, you will be considered to have voluntarily terminated your employment as provided in Section 9.3 (Job Abandonment).

Excessive absences, abuse of the District's sick leave policy, failure to report absences on time, and excessive tardiness may lead to discipline, up to and including termination. Absences are excessive if they occur frequently, or if they show a pattern. Tardiness is excessive if you are frequently or unnecessarily late, or if you demonstrate a pattern of tardiness.

### **3150.2 Work Hours**

The District's administrative office is normally open for business between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. These hours can change depending on staff availability and work priorities. Public accessibility is an important service of the District. These hours can be altered depending on the volume of public inquires and public needs. Additionally, some services are scheduled around the needs of District's clients and may fall outside the above listed hours. The General Manager (or designee) will assign your individual work schedule and/or ~~satellite~~ office hours. Your hours are subject to change according to District's needs.

### **3150.3 Breaks:**

#### **3150.3.1 Meal Period**

Nonexempt employees scheduled to work more than five (5) hours are entitled and must take an unpaid, off-duty meal period of at least thirty (30) minutes. This meal period should be taken prior to the end of the fifth hour of work. A second meal period is required after ten hours of work.

If an employee is unable to take his/her meal break or take it in a timely manner, the employee must notify his/her supervisor before or at the time the employee is unable to take the meal break. The failure to take off-duty meal periods or to follow this notification requirement is a violation of policy. If an employee does not take a full meal break, or fails to take it in a timely manner, and fails to notify his/her supervisor, it will be presumed that the employee voluntarily waived the meal break.

Finally, if the employee works between five and six hours, the meal period can be waived by a written (mutual consent) ~~waiver of the meal period with District~~ in accordance with applicable law.

#### **3150.3.2 Rest Period**

Nonexempt employees must take a ten (10) minute paid rest period for every four hours of work or major portion thereof. All 10-minute breaks must be taken on District premises. Employees are entitled to these breaks as a matter of law and cannot be required to work through these breaks. If at any time you feel that you are being coerced into working through your breaks, you should immediately bring your concern to the General Manager or General Counsel.

#### **3150.3.3 Lactation Accommodation**

District will provide all employees who wish to express breast milk at work with a reasonable amount of break time. The break time will be required to run concurrently, if possible, with any paid break time already provided. Unless it runs concurrently with paid break time, break time for expressing milk is unpaid.

District will provide all employees desiring to express breast milk at work with reasonable accommodations. The employee will be provided with use of a room, or other location, other than a toilet stall, in close proximity to the employee's work area. The employee's normal work area may be used if it allows the employee to express milk in private.

#### **3150.4 Timekeeping Requirements**

All employees (exempt and nonexempt) are required to record their hours worked in a manner determined and approved by the District. Hourly employees must document the beginning and end of their shifts and time taken for meal breaks. Ten-minute breaks need not be documented.

All employees must prepare a time sheet for each pay period. Time sheets must be submitted to your supervisor for approval by the deadline specified on the time sheet. Part-time or temporary employees must submit time sheets to their supervisor according to the schedule assigned to them. Failure to document your time with a time sheet that also matches travel, calendar and other materials is considered insubordination. A time sheet is a legal document and must be completed accurately and should not be tampered with. Completing the time sheet of a fellow employee or falsifying your own time sheet is dishonest and may lead to discipline, up to and including termination.

#### **3150.5 Overtime<sup>[4]</sup>**

Non-exempt employees are entitled to receive overtime pay at the rate of one and one-half (1 ½) times the employee's regular rate for actual time worked in excess of forty (40) hours per workweek. An employee must obtain advance written permission from his or her supervisor to work overtime, except in the case of an emergency. Working overtime without permission is grounds for discipline, up to and including termination. The District provides compensation for all overtime hours worked by nonexempt employees [as well as other overtime requirements](#) in accordance with state and federal law.

#### **3150.6 Payment of Wages:**

##### **3150.6.1 Pay Periods and Payday**

There are two pay periods per month. Employees are paid on the fifteenth (15th) day and last day of the month [for work performed during the previous pay period](#). If a regular payday falls on a holiday, employees will be paid on the preceding workday. The District does not permit advances against paychecks or against non-accrued vacation. The District highly encourages all employees to participate in the direct deposit of pay into their checking accounts.

##### **3150.6.2 Payroll Deductions**

Federal and state laws require that the District withhold a portion of employees' wages for state and federal income taxes, Social Security and Medicare, and California State Disability Insurance. Employees wishing to change their number of claimed exemptions or their marital status for tax purposes should contact the General Manager (or designee). The District will take other deductions from your wages as required by law.

### **3150.6.3 Paid Family Leave Insurance and Wage Replacement**

The State of California provides several wage replacement insurance programs for employees who have a wage loss due to a statutory or approved leave of absence. For more information, contact the General Manager (or designee) or [Section 3210?](#)

## **POLICY 3160: Performance Evaluations, Personnel Records**

### **3160.1 Performance Evaluations**

~~To the extent possible,~~ employees will receive periodic performance reviews. Generally, a new employee will receive a mid-introductory informal performance review after the first three (3) months of employment followed by a performance review after the first six (6) of employment. After that, ~~formal~~ reviews will be conducted approximately every twelve (12) months, ~~on or about the performance evaluation date for the District.~~ However, the frequency ~~and timing~~ of performance ~~annual~~ evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Performance evaluations may ~~include review of~~ factors such as the quality and quantity of the work performed, knowledge of the job, initiative, work attitude, review of past goals, measurable performance objectives, job description duties and relationships with internal and external stakeholders. The performance evaluation should create awareness of progress and areas for improvement. After the review, ~~each~~ employees will be required to sign the evaluation report to acknowledge that it has been presented and discussed with the employee's ~~supervisor-manager,~~ and that the employee is aware of its contents.

A good performance evaluation does not guarantee a pay raise, because pay increases may not occur every year, nor is it a promise of continued employment. Employment at the District is expressly at the will of the employee and the District. Either the employee or the District may terminate the employment relationship with or without cause and with or without notice at any time. Nothing in the performance evaluation alters an employee's at-will employment.

### **3160.2 Personnel Records**

Employees have the right to inspect and receive a copy of their personnel files and records that relate to the employee's performance or to any grievance concerning the employee, at reasonable times and at reasonable intervals, but no later than 30 calendar days from the date the District receives a written request. Employees also have the right to inspect ~~and/or~~ copy their own

payroll records; the District shall comply with reasonable requests for inspection and/or copying as soon as practicable, but no later than 21 calendar days from the request.

The employee should contact the General Manager (or designee) to set up an appointment if you wish to see or copy certain papers in his/her personnel file. The review of your file must be done in the District's main office with employee supervision.

To ensure that the files are kept up to date, employees should inform their supervisors of any personnel changes such as changes to address, phone number, marital status, or in the number of dependents.

Although the District makes reasonable efforts to protect the privacy of personally identifiable information (such as the addresses and telephone numbers of current and former employees), the District at times may be required to produce such personally identifiable information to third parties pursuant to, and in accordance with, directions from legal authorities.

### **3160.3 Employee References**

All requests for references must be directed to the General Manager (or designee). The District's policy as to references for employees who have left the District is to disclose only the dates of employment and the title of the last position held. No other information will be provided.

## **POLICY 3170: Hiring, Transfer, Resignation, Job Abandonment, Layoff**

### **3170.1 District Hiring**

The existing District positions and position descriptions may be abolished or amended by the Board. In addition, new positions and position descriptions may only be added or amended by the Board.

#### **3170.1.1 New Positions and Vacancies**

New positions, as approved by the Board, and vacancies of existing regular positions may be filled by reinstatement, transfer, demotion, or as deemed appropriate within the discretion of the General Manager based on the best interest of the District.

In case of emergencies or otherwise to protect the District's interests, the General Manager may appoint, on a temporary basis, any person available and qualified to assist with the emergency situation. Emergency appointments may will be terminated as soon as the emergency situation is alleviated.

#### **3170.1.2 Recruitment & Hiring Process**

It is the -DistrictAgency's desire to recruit the best qualified applicants for District positions. The District will make efforts to promote qualified persons already employed by the District and will endeavor to give reasonable notice to all of its employees concerning the District's employment opportunities.

Each candidate for District employment shall complete all application forms required by the District. An applicant's failure to provide complete and accurate information on all application

materials shall result in immediate disqualification in the application process and may result in dismissal from employment. Once submitted to the District, applications shall not be returned.

Applications must be received, or USPS postmarked on or before the filing deadline stated in the job announcement. Applications received, postmarked after the deadline, or sent with franking meter postage will be disqualified.

As part of the pre-employment procedure, applicants may be required to supply references, and submit to a thorough background check by the District. In addition, all employees must be physically and mentally capable of performing the essential functions of their jobs with or without reasonable accommodation.

The District shall have the right to conduct a complete and exhaustive background investigation on all applicants seeking employment, including, but not limited to a financial, DMV, and criminal background check, where applicable, and a medical and/or psychological examination by District-retained medical practitioners, where deemed appropriate by the District. However, any medical or psychological examination shall be conducted only after a conditional job offer has been made, in accordance with applicable law.

Disqualification or Rejection of Application. The District may reject any application. No applicant has the right to grieve or appeal any such actions by the District.

The District, at its discretion, may screen applications and invite only those applicants who best meet the District's needs and requirements to test further in the process. There is no obligation to interview or test all applicants.

Selection and Examination/Assessment Process. All hiring, including promotions, shall be made according to merit and fitness. The District may utilize any objective method to determine the qualifications of applicants, including without limitation, written tests, physical agility tests, oral examinations, panel interviews, assessment centers and oral interviews.

The General Manager is the only District employee authorized to ~~hire any enter into a District at-will relationship with~~ District employees. All candidates recommended for a position are to be interviewed by the General Manager, ~~which may include designees,~~ prior to being offered employment. This includes full-time, part-time, extra-help, temporary, and promotional appointments.

The types of positions in District employment shall be Temporary, Regular, Extra-help and Emergency. Employees in each class shall be subject to the conditions and limitations set forth in these Rules.

### **3170.1.3 Verification of Identity and Right to Work**

In compliance with federal law, all persons hired will be required to verify identity and eligibility to work in the United States and to complete the required employment eligibility verification document form upon hire.

### **3170.1.4 Employee Clearance**

If the District is notified by a government agency that an employee has engaged in an activity that causes him or her to lose employment eligibility, that employee will immediately be placed on an unpaid suspension from employment until he or she receives a clearance or exemption from the California Department of Justice. Offers of employment may be conditioned upon verification of necessary licensing and clearances.

### **3170.1.5 Promotions**

When deemed appropriate by the General Manager, vacancies may be filled by promotion of employees. Such promotion shall be based on a competitive selection process, taking into consideration of the employees' performance evaluations and past District service, and any other reasonable assessment criteria as determined by the General Manager or designee.

The promotion of an employee from one position to another having a higher pay range shall take place only upon by approval by the General Manager. Such promotion shall be based upon a judgment of qualifications for the position.

### **3170.2 Employee Transfer Policy**

Employees who would like to request a location transfer must contact their direct supervisor or the General Manager. No transfers will be granted during an employee's initial six (6) months of employment with the District. After a transfer, staff must complete six (6) months prior to requesting another transfer. The District may consider transfers that further the best interests and/or business needs of the District, but the District reserves the right to deny any requests for transfer in its sole discretion. The District also reserves the right to transfer employees to another location for any reason, at any time.

### **3170.3 Resignation**

Employees may voluntarily resign their employment at any time by notifying their supervisor or the General Manager in writing. The District requests (but does not require) that employees provide two weeks' advance notice of resignation. All District-owned property (vehicles, keys, uniforms, identification badges, credit cards, etc.) must be returned immediately upon separation from employment.

### **3170.4 Job Abandonment**

An employee who fails to report to work for three (3) consecutively scheduled workdays without notice to or approval by his/her supervisor will be considered to have voluntarily terminated employment with the District unless the employee can show reasonable cause for the absence that is in accordance with state and federal law. All District-owned property (vehicles, keys, uniforms, identification badges, credit cards, etc.) must be returned immediately upon termination of employment.

### **3170.5 Layoff**

From time to time, the District may need to lay off staff due to cuts in funding, to achieve better utilization of agency resources, or to address changes in programs, mission, philosophy, or any other business changes. Layoffs do not provide priority for other open positions, nor are layoffs required to be conducted by seniority or any other factor. Layoffs can be based on any business reason that is not prohibited by law.

## **POLICY 3180: Miscellaneous Policies**

### **3180.1 Appearance and Dress**

Employees are required to use their common sense and good judgment with regard to their dress and appearance and are expected to project a professional image. Employees must dress in a manner that is consistent with their responsibilities. Attention should be paid to safety, District's image, customer interaction, and District's anti-harassment policy. If there are any questions as to what constitutes proper attire within a given department, the supervisor or General Manager should be consulted. In order to properly present the professionalism of the District, all employees must observe good habits of grooming and personal hygiene.

Clothing or jewelry must not be worn if it communicates a message that is harassing or against the District's business interest. Tattoos and any piercing that is not on the head must be covered at all times.

### **3180.2 Outside Employment**

While employed by the District, employees are expected to devote their full attention and energy to their jobs with the District. For this reason, second jobs are discouraged. The following types of outside employment are strictly prohibited:

1. Employment that conflicts with an employee's work schedule, duties and responsibilities;
2. Employment that creates a conflict of interest or is incompatible with the employee's employment with the District;
3. Employment that interferes with the protection of the District's proprietary or confidential information;
4. Employment that impairs or has a detrimental effect on the employee's work performance with the District;
5. Employment that requires the employee to conduct work or related activities for outside employment on the District's property during the employee's working hours or using the District's facilities and/or equipment in relation to the employee's outside employment; and
6. Employment that directly or indirectly competes with the business or the interests of the District.

Employees who wish to engage in outside employment must submit a written request to the ~~General Manager~~District explaining the details of the outside employment. If the outside employment is authorized, the District assumes no responsibility for the outside employment. No work related to an employee's outside employment may be performed during District time, with District property or equipment, or on District premises. The District shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of outside employment. Authorization to engage in outside employment can be revoked at any time.

### **3180.3 Telecommuting**

Telecommuting may be allowed if it is in the best interest of the District. Telecommuting is at the discretion of the supervisor and requires the approval of the General Manager.

### **3180.4 Travel:**

#### **3180.4.1 Authorization**

All travel outside of areas in which the District provides services must be authorized in advance by the General Manager and must be supported by properly approved invoices and receipts covering both travel and per diem expenses. The District shall reimburse all pre-approved travel costs including lodging, private vehicle (as noted below), taxi or similar service, shuttle, and bus, train, and/or air fare. ~~Bus and train.~~ All other expenses, including meals and incidental expenses will be reimbursed at the per diem rate of \$75/day (full day) or prorated for a partial day (\$15 breakfast, \$22 lunch, \$38 dinner) adjusted annually with the Consumer Price Index for San Francisco-Oakland-San Jose unless the conference sponsor provides meals in which case only actual reasonable expenses will be reimbursed. All reasonable effort should be made to reserve lodging at conference rates or find comparable rooms at nearby locations. All reimbursements shall be made in accordance with applicable State and federal law, including but not limited to Internal Revenue Service Guidelines.

#### **3180.4.2 Driving Requirements**

Employees whose driving records are not approved by ~~either~~ the District's insurance company are prohibited from driving on District's behalf and receiving mileage reimbursement.

#### **3180.4.3 Reimbursement**

The District will only reimburse costs incurred for travel in accordance with either District policy or the Internal Revenue Service, whichever is less. Mileage costs for use of privately owned automobiles used for authorized District business shall be reimbursed at a set rate except where District contracts require a lower limitation.

### **3180.5 Gifts**

No employee may accept or extend a gift or gratuity valued in excess of \$50.00 from or to any customer, vendor, supplier, or other person doing business with the District. Please discuss expenses paid or extended to such persons for business meals or trips with the General Manager

**District** in advance. In no event may a gift, gratuity, or expense payment influence (or appear to influence) a business decision, transaction, or service.

### **3180.6 Employment of Relatives**

Relatives of employees may be eligible for employment with the District only if the individuals involved do not work in a direct managerial relationship or in job positions in which a conflict of interest could arise. “Relatives” is defined to include spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Current employees who marry or register as domestic partners will be permitted to continue working in the position held only if they do not work in positions as noted above. If employees who marry or register as domestic partners do work in a direct supervisory relationship with one another, the District will attempt to reassign one of the employees to another position for which he or she is qualified, provided such a position is available. If no such position is available, then one of the employees will be required to leave the District. The decision as to which individual will leave District is left solely to the two employees. The General Manager or his/her designee may prohibit all employment of relatives if it is in the best interest of the agency.

### **3180.7 Employer Property**

All District property must be maintained according to District rules and regulations. The District reserves the right to inspect all District property or premises to ensure compliance with its rules and regulations.

Prior authorization must be obtained from the General Manager before any District property may be removed from the premises. In order to ensure compliance with District rules and regulations, employees may be asked to cooperate in inspections of their work areas and/or personal property, including but not limited to lockers, packages, purses, backpacks and other personal property brought onto District premises. Inspections may be conducted at District’s discretion. Employees refusing to cooperate in such inspections may be subject to discipline.

### **3180.8 Off-Duty Use of Facilities**

Employees are expressly prohibited from being in District’s facilities while off duty and from using District facilities or District equipment for personal use and/or while off duty without prior authorization from the General Manager or his/her designee. Past employees are prohibited from entering District offices unless provided permission by the General Manager or his/her designee.

### **3180.9 Outside Activities**

The District employees are prohibited from selling products for profit or gain on District property during the District’s business hours. Fundraising activities are permitted, and materials can be left in an open area for employees, so they can choose whether they want to participate. Employees seeking fundraising may not directly approach any employee with pressure to purchase a fundraising item, except if the fundraising is on behalf of the District. Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on District property.

Employees' personal advocacy and political activities must be done on their own time **and not on District property.**<sup>[5]</sup> No political contributions to candidates for public office may be reimbursed by the District. The District will not discriminate against employees based on their lawful political activity engaged in outside of work. Any employee with any question as to the application of these rules should consult with his or her supervisor or General Manager immediately.

## **POLICY 3190: Internet, E-Mail and Electronic Communications**

### **3190.1 Telephone and Device Use Policy**

Excessive use of personal phones while at work and excessive use of the District's phone for personal use disrupts the work of other employees and limits employees' ability to complete District business. As such, employees should limit personal telephone communication, email, texting or other usage during work hours to emergency and/or brief communications.

The District is committed to keeping its employees safe at all times while on District business. Employees are required to comply with all state and local laws regarding the use of wireless phones while driving, including applicable laws prohibiting text messaging while driving. All employees must use a hands-free device while driving. Whenever possible, employees should not make or receive telephone calls while driving, and employees may not send work-related email messages or text messages while driving. Under no circumstances should employees use wireless phones during adverse weather or difficult traffic conditions. Under no circumstances is an employee required to answer the phone to conduct District business while driving. Any employee who violates this policy will be considered to be operating outside the course and scope of their employment. The District takes its phone and device use policy seriously. Any violations of this policy will subject employees to disciplinary action, up to and including termination of employment.

### **3190.2 Technology Systems**

The District provides an e-mail system, voicemail system, access to the Internet, and other technology systems to assist employees in conducting the District business. All information, data, and messages created, received, sent, or stored in these systems are, at all times, the property of the District. During working time (which does not include meal and rest breaks), the foregoing systems are to be used solely for business-related purposes and employees have no reasonable expectation of privacy in such systems. All existing District policies apply to employee conduct on the Internet and use of all technology systems, including, but not limited to, District policies regarding intellectual property, misuse of District property, discrimination, harassment, sexual harassment, information and data security, and confidentiality.

#### **3190.2.1 Prohibited Uses of Technology Systems**

The District does not allow these systems to be used in creating, receiving, sending, or storing data that may reasonably be considered to be offensive, defamatory, obscene, discriminatory or harassing. Such data includes, but is not limited to, sexual images and comments, racial and gender-based slurs, or anything that would reasonably be expected to offend someone based on

their disability, age, gender, religion, marital status, sexual orientation, national origin, culture, or any other status protected by law. Any such use would violate this policy and may also violate the District's policy against harassment. In particular, the display of any kind of sexually explicit image or document on any District system is a violation of the District's policy on sexual harassment. Employees who are aware of the misuse of these systems by other employees shall report the misuse to a supervisor or to the General Manager (or designee) immediately.

Unauthorized use of District information, emails, District intellectual or other property is prohibited for current and former employees. Nothing in this policy is intended to limit or will be applied in a manner that limits employees' rights to engage in protected concerted activity as prescribed by the National Labor Relations Act.

Please refer to the District's Electronic Resources Policy ~~found in Policy 2000~~ for additional guidance.

### **3190.2.2 Monitoring and Recording of Technology**

All employees should be aware that the District has software and systems in place that are capable of monitoring and recording all network traffic to and from any computer employees may use. The District reserves the right to access, review, copy, and delete any of the unauthorized software, copyrighted material, information, data, or messages accessed through these systems with or without notice to the employee and/or in the employee's absence. This includes, but is not limited to, all email messages sent or received, all website visits, all chat sessions, all news group activity (including groups visited, messages read, and employee postings), and all file transfers into and out of the District's internal networks. The District further reserves the right to retrieve previously deleted messages from email or voicemail and monitor usage of the Internet, including websites visited and any information employees have downloaded. In addition, the District may review Internet and technology systems activity and analyze usage patterns and may choose to publicize this data to assure that technology systems are devoted to legitimate business purposes. Accordingly, no employee should have any expectation of privacy as to his or her Internet or technology systems usage and should not use these systems for information they wish to keep private.

The District reserves the right to inspect, without notice to the employee, any and all files stored in all areas of the District's network, including those files assigned to individual employees, and those stored on any District computer, or storage device, or any storage device connected to a District computer in order to assure compliance with this and other District policies.

### **3190.3 Social Media**

The District uses social media in certain circumstances for defined business purposes. Social media is a set of Internet tools that aid in the facilitation of interaction between people and companies online. The District expects employees to understand and comply with the Policy 2415 Social Media Use. If employees have specific questions about which programs the District deems to be social media, employees should consult with their supervisor or the General Manager. Employees' use of social media is subject to District's policies against discrimination,

harassment, retaliation, disclosure of confidential information, and prohibited uses of technology systems. Nothing in this policy is intended to limit or will be applied in a manner that limits employees' rights to engage in protected concerted activity as prescribed by the Meyers-Milias-Brown Act.

## **POLICY 3200: Holiday, ~~Vacation,~~ & Sick Leave**

### **3200.1 Holidays:**

#### **3200.1.1 Eligibility**

Full-time and part-time salaried exempt employees are eligible for holiday pay. To be eligible for holiday pay, an employee must be regularly scheduled to work on the day on which the holiday is observed and must work their regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by the General Manager or his/her designee.

#### **3200.1.2 Holiday Pay**

Eligible employees are entitled to seven (7) paid holidays per year. Part-time employees will receive a pro-rated portion of the seven (7) days based on the employee's regularly assigned work hours.

Holidays shall be determined by the General Manager or his/her designee in accordance with the District's needs. Current holidays are:

- New Year's Day
- Martin Luther King, Jr.
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving
- Day After Thanksgiving
- Christmas

When a holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will be observed on the following Monday. When a holiday is observed

during an employee's scheduled vacation, the employee will receive holiday pay instead of vacation time.

## **3200.2 Sick Leave**

### **3200.2.1 Eligibility**

All employees, including part-time and temporary employees, who work thirty (30) or more days in a year are entitled to paid sick leave.

### **3200.2.2 Accrual Rate**

All employees – including part-time, temporary and hourly employees – accrue sick leave at a rate of two (2) hours every pay period. Employees begin to accrue paid sick leave on their first day of employment.

### **3200.2.3 Limits on Accrual**

Employees may accrue up to forty-eight (48) hours of sick time. When an employee has accrued 48 hours of sick leave, the employee will cease accruing additional sick leave until the employee's sick leave balance falls below 48 hours, at which time the employee will begin accruing sick leave again. In the event that the employee had more than 48 hours of sick leave on the date that this Policy took effect, the employee's leave shall be capped at their then-current level and the employee shall not begin accruing more leave until their hours fall below 48 hours.

There is no retroactive grant of sick compensation for the period of time the accrued sick compensation was at the cap. Sick leave does not accrue during an unpaid leave.

### **3200.2.4 Limits on Use**

Employees may use up to 48 hours of paid sick leave per year. Accrued, unused sick leave carries over from year to year.

The District reserves the right to prohibit employees from using sick leave during any shutdown period, except as prohibited by law.

### **3200.2.5 Permitted Uses of Sick Leave**

Sick leave may be used for the following purposes:

1. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee.
2. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee's family member.
3. For an employee who is a victim of domestic violence, sexual assault, or stalking, any of the following purposes related to the domestic violence, sexual assault, or stalking: to obtain or attempt to obtain a temporary restraining order, restraining order, or other injunctive relief; to seek medical attention for injuries; to obtain services from a shelter, program, or crisis center; to obtain psychological counseling; or to participate in safety

planning and take other actions to increase safety, including temporary or permanent relocation.

For the purposes of sick leave, a “family member” is any of the following: a child (biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stands in loco parentis, regardless of age or dependency status); parent (biological, adoptive, or foster parent, stepparent, or legal guardian of the employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child); spouse or registered domestic partner; grandparent; grandchild; or sibling.

Abuse of the District’s sick leave policy is dishonest and may lead to discipline, up to and including termination.

### **3200.2.6 Requesting Sick Leave**

If the need for sick leave is foreseeable, employees must give reasonable advance notice. Employees who request sick leave are required to communicate with their supervisor at least one (1) hour before the beginning of the employee’s shift. If requests for sick leave are not made within this time frame, approval for sick leave usage will not be granted unless there is an unusual circumstance (i.e., earlier notice was not practicable). Communication may be by telephone, email, or in person. The District reserves the right to ask for proof of illness as permitted under the law.

Employees are permitted to take sick leave in increments of two hours.

### **3200.2.7 Certification of Need for Leave**

Employees may be required to provide documentation from a state recognized medical practitioner certifying the need for leave upon request by the employee’s supervisor or General Manager. If an employee is absent for three (3) or more days with an illness or injury, a doctor’s release is required before being allowed to return to work.

### **3200.2.8 Disability Insurance for Leave Exceeding Seven Days**

Employees who are hospitalized or out sick for more than seven (7) calendar days for an injury or illness that is not work-related, may apply for State Disability Insurance (“SDI”) benefits. The General Manager (or designee) can supply the SDI application form, but it is the employee’s responsibility to apply. Also, employees must send their Notice of Disability Benefits Received to the General Manager (or designee).

## **POLICY 3210: Other Protected Leaves**

### **3210.1 Military Leave**

All employees are entitled to take time off to serve in the uniformed services on a voluntary or involuntary basis, including absences to attend a fitness examination. “Uniformed services” refers to the U.S. Armed Services, including the Coast Guard; the Army National Guard and Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty; and the commissioned corps of the Public Health Service.

With certain exceptions, Military Leave may be granted for a total of up to five (5) years. When the need for military leave is foreseeable, you must notify your manager as far in advance as possible, so arrangements can be made to cover your duties. If you have written authorization from your military branch for your leave, you should provide it when you request leave.

Generally, a military leave of absence is unpaid, although employees may utilize available leave to provide continued compensation during the leave.

Upon completion of duties, employees will be reinstated into their former position or into another position of equal pay and status, consistent with applicable laws.

In order to be eligible for reemployment, employees must:

1. Give advance notice (written or oral) of his or her military service, unless such notice is impossible or unreasonable under the circumstances;
2. Be absent for fewer than five (5) years, not including inactive duty training or involuntary recall to or retention on active duty;
3. Have separated from military service under honorable conditions; and
4. Report for reemployment within the following time periods:
  - a. Employees performing military service for fewer than thirty-one (31) days must report for reemployment no later than the first regularly scheduled workday that occurs after a reasonable time for the employee to return to his or her residence, plus eight (8) hours.
  - b. Employees serving more than thirty (30) but fewer than one hundred eighty-one (181) days must submit an application for reemployment within fourteen (14) days after the completion of military duty.
  - c. Employees serving more than one hundred eighty (180) days must submit an application for reemployment within ninety (90) days after the completion of military duty.
  - d. Military leave can be extended for an additional two (2) years or longer if the employee is hospitalized or recovering from an illness or injury incurred or aggravated during military service or if reporting or reapplying to work is unreasonable or impossible.

| The District is not ~~be~~ required to reemploy individuals under the following circumstances: (1) where the District's circumstances have changed so that reemployment of the person would be impossible or unreasonable, such as when there has been a reduction-in-force that would have included the person on leave; (2) where efforts to qualify returning service members or accommodate individuals with service-connected disabilities would be of such difficulty or expense as to cause undue hardship to the District; or (3) where the pre-service position was for a brief or non-recurrent period and there was no reasonable expectation that employment would continue indefinitely or for a significant period.

Reemployed service members are entitled to the seniority and all rights and benefits based on seniority that they would have attained with reasonable certainty had they remained continuously employed.

If an employee's health plan coverage would terminate because of an absence due to military service, the employee may elect to continue the health plan coverage for up to twenty-four (24) months after the absence begins or for the period of service (plus the time allowed to apply for reemployment), whichever period is shorter. Employees will be required to pay the employee portion, if any, of any funded benefit to the extent that other employees on a leave of absence are so required.

### **3210.2 Leave for Military Spouse/Domestic Partner**

An eligible employee who is the spouse or registered domestic partner of a member of the Armed Forces, National Guard, or Reserves who has been deployed during a period of military conflict is entitled to take up to ten (10) days of unpaid leave while the servicemember is on leave from deployment. In order to be eligible for leave under this section, an employee must: work for the District for an average of twenty (20) or more hours per week; notify his/her supervisor of the employee's intention to take the leave within two (2) days of receiving notice of the servicemember's leave from deployment; and submit written documentation to the General Manager certifying that the servicemember will be on leave from deployment during the employee's requested leave.

### **3210.3 Bereavement Leave**

With the approval of the employee's supervisor, regular full-time employees may take up to five (5) consecutive days of unpaid leave in the event of a death in the immediate family. "Immediate family" for the purposes of this section means the employee's current spouse or registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, grandchild, or mother-, father-, sister-, brother-, son-, or daughter-in-law.

### **3210.4 Time Off to Vote**

In the event that an employee does not have sufficient time outside of working hours to vote in a statewide or federal election, the employee may take off enough working time to enable him or her to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours. Under these circumstances, an employee will be allowed a maximum of two (2) hours on the Election Day without loss of pay. Deductions will not be made from the salary of an exempt employee for time taken off for voting. Where possible, the employee shall give his or her manager at least two (2) days' notice that time off to vote is needed.

### **3210.5 Jury Duty and Court Appearances**

Employees are entitled to take time off to serve on jury duty. Employees should notify their supervisor of the need for time off for jury duty as soon as a notice or summons from the court is

received. An employee may be requested to provide written verification from the court clerk of having served. If work time remains after any day of jury selection or jury duty, employees will be expected to return to work for the remainder of the employee's scheduled work hours.

In addition, every employee, including but not limited to an employee who is a victim of a crime, is entitled to take time off to comply with a subpoena or other court order to appear as a witness in any judicial proceeding.

Leave under this section is unpaid unless the employee uses other applicable accrued time off.

### **3210.6 Leave Without Pay**

A supervisor may grant a leave of absence without pay for up to three (3) days, provided that such absence does not negatively impact the District's business interests, including the safety and care of children. Leaves of absence exceeding three (3) days may be granted at the discretion of the General Manager or his/her designee upon the written request of an employee and the approval of the employee's supervisor. No leave without pay shall be granted for more than one (1) month.

An employee will be required to use all of his/her applicable accrued leave before requesting an unpaid leave of absence. The only exception is the unpaid days off during any District closure between Christmas and New Year (if applicable to the District).

Employees on unpaid leave status do not accrue additional benefits, including sick leave.

The District will attempt to hold an employee's position for the duration of the unpaid leave of absence unless otherwise required by federal, state or local law. If the position cannot be held, the employee will be eligible to reapply should a position become available in the future.

### **3210.7 Paid Family Leave Program**

The District offers a Paid Family Leave Program pursuant to state law.

## **POLICY 3220: Health and Safety**

### **3220.1 Safe Workplace Policy**

Every employee is responsible for the safety of himself or herself as well as the safety of others in the workplace. To achieve our goal of maintaining a safe workplace, everyone must be safety-conscious at all times.

### **3220.2 Security**

The security of facilities and the welfare of our employees require that every individual be constantly aware of potential security risks. Employees should immediately notify their supervisor when persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are lost or misplaced.

Visitors, upon entering the site, must be greeted immediately. The District may from time to time and at different locations install surveillance monitoring by video or audio for purposes of

protecting District property and programs only. This surveillance system is in no way intended to provide employees with personal security.

### **3220.3 Workplace Violence**

The District has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously and will lead to appropriate discipline, up to and including termination.

A threat includes, but is not limited to, any indication of intent to harm a person or damage property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally. It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Each employee is expected and encouraged to report to a supervisor or senior staff all actual or perceived threatening and/or violent incidents. The District is committed to thoroughly investigating all reports of workplace violence and will take immediate, appropriate action commensurate with the offense. Depending on the circumstance, the District may choose to place an individual on leave while it investigates a complaint. Anyone with questions about the application of this policy should contact the General Manager (or designee) or the District's Police Chief.

Employees must notify the General Manager (or designee) when District keys or security cards are lost or misplaced. Employees must secure all doors upon the closure of the facility, set any alarms, and report to General Manager (or designee) if any outside lighting that is not working. Employees will not be sanctioned or otherwise suffer any Adverse Action for calling the police.

### **3220.4 Drug and Alcohol Abuse**

The District is concerned about the use of alcohol, illegal drugs, and controlled substances as they affect the workplace. Use of these substances, whether on or off the job, can adversely affect an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the District. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and children we serve and exposes the District to the risks of property loss or damage, injury to other persons and adverse publicity. Conviction for violation of drug laws, illegal alcohol use, crimes of violence or abuse or neglect of a child on or off duty shall not be tolerated because such conduct reflects adversely on the District.

Employees may not smoke or use any electronic smoking devices (e.g., e-cigarettes) on any property owned, operated, used by the District including automobiles. Smoking is not permitted in the presence of staff, families or children or the public during work time.

As a condition of employment, the District requires each employee to abide by the terms of this Drug and Alcohol Abuse policy and notify the District of any criminal drug or alcohol statute conviction for a violation occurring in the workplace within five (5) days of such conviction. In

receiving a copy of these Rules, each employee is provided a copy of this policy and will be required to sign the acknowledgment in Appendix 3000 C. All employees covered by this policy should be aware that violation of the policy may result in discipline, up to and including termination.

### **3220.4.1 Policy**

The term “drug” or “drugs” whenever used in this policy means any controlled substance that is not legally obtainable under State or Federal law, a prescription drug obtained or used without benefit of a valid prescription by a medical provider licensed to prescribe medications, and marijuana even if prescribed by a medical provider licensed to prescribe medications.

### **3220.4.2 Standards of Conduct**

The following rules and standards of conduct apply to all employees either on the District property or during the workday (including meals and rest periods). The following are strictly prohibited by the District:

1. Possession or use of alcohol, or being under the influence of alcohol while on the job;
2. Employees shall not be impaired by alcohol or drugs, nor possess alcohol or drugs at the assigned worksite;
3. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of this policy to intentionally misuse and/or abuse prescription medications;
4. Driving a District vehicle while under the influence of alcohol or drugs;
5. Distribution, dispensation, sale, or purchase of an illegal or controlled substance while on the job; and
6. Unlawful manufacture, possession, or use of a controlled substance, or being under the influence of an illegal or controlled substance while on the job.

Violation of the above rules and standards of conduct shall result in disciplinary action, up to and including termination. The District also may bring the matter to the attention of appropriate law enforcement authorities.

~~The District is dedicated to educating its employees of the dangers and consequences of workplace drug abuse. In this vein, District has developed a comprehensive Drug-Free Awareness program. The District's program will be an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace. The Drug-Free Awareness program will inform employees about: (1) the dangers of alcohol and drug abuse in the workplace; (2) the District's policy of maintaining a drug-free workplace; (3) the availability of drug and/or alcohol counseling for employees who voluntarily seek such assistance; and (4) the penalties that the District will impose for alcohol and drug abuse violations.~~

### **3220.4.3 Enforcement**

In order to enforce this policy as well as other District policies, and to ensure the safety of the District's employees and clients, the District reserves the right to conduct searches of all portions of District's property or premises for drugs, alcohol or other contraband. All employees, contractors and visitors may be asked to cooperate in inspections of their persons, work areas and/or their personal property, including but not limited to lockers, packages, purses, backpacks and other personal property brought onto District premises that might conceal drugs, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge. The District also reserves the right to implement other measures necessary to deter and detect abuse consistent with this policy.

An employee may be required to submit to a fitness-for-duty examination where there is a reasonable and objective belief that an employee may be impaired by prescription or over-the-counter medications that the employee is taking. The purpose of the fitness-for-duty examination will be limited to determining whether the employee can safely perform the essential functions of the job with or without accommodation. Such fitness-for-duty examinations will be conducted in compliance with the limitations set forth under state and federal law.

In addition, the District must keep people who sell or possess controlled substances off District's premises in order to keep the controlled substances themselves off the premises. Therefore, District reserves the right to take appropriate disciplinary action for such convictions. Employees who are convicted of such crimes are required to report the conviction to the General Manager (or designee) prior to returning to work. Failure to comply with this policy may result in discipline, up to and including termination.

An employee is subject to disciplinary action, up to and including termination, if the employee works while impaired by a prescription or over-the-counter drug and that impairment affects the employee's ability to safely perform the job or affects the safety or well-being of others. Notwithstanding the foregoing, the District will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability, unless undue hardship for the District would result or no accommodation is available which would enable the employee to safely perform his or her job.

#### **3220.4.4 Treatment and Rehabilitation**

Consistent with federal and state laws, the District will encourage and reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that this reasonable accommodation does not impose an undue hardship on the District. However, the District is not prohibited from refusing to hire, or discharging an employee who, because of the employee's current use of alcohol or drugs, is unable to perform his or her duties, or cannot perform the duties in a manner which would not endanger his or her health or safety or the health or safety of others.

The District shall make reasonable efforts to safeguard the privacy of an employee as to the fact that he or she has enrolled in an alcohol or drug rehabilitation program.

Leave under this section is unpaid, except that an employee may use sick leave to which he or she is entitled for the purpose of entering and participating in an alcohol or drug rehabilitation program. An employee with a chemical dependency who is not voluntarily seeking treatment is not qualified as a disabled individual under applicable state and federal law and may be subject to discipline as a result of job performance impaired by drug or alcohol use.

### **3220.5 No Smoking Policy**

California law prohibits smoking at any facility used to provide children's services. The District prohibits smoking (including the use of electronic smoking devices, e.g., e-cigarettes) on any property owned, operated, used by the District including offices, employee break areas, locker rooms, parking lots, bathrooms, vehicles and other the District facilities.

### **3220.6 Off-Duty Activities**

The District or its insurer will not be liable for the payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

## **POLICY 3230: Reasonable Accommodation Policy**

### **3230.1 Policy**

The District provides employment-related reasonable accommodations to qualified individuals with disabilities within the meaning of the California Fair Employment and Housing Act and the Americans with Disabilities Act.

### **3230.2 Qualifying Disability**

A "disability" means a physical or mental disorder or condition that limits one or more major life activities, a record of having such a disorder or condition, or being regarded as having such a disorder or condition.

### **3230.3 Procedure for Obtaining Reasonable Accommodation**

An employee or applicant with a qualifying disability who needs reasonable accommodation in the application process or to perform essential job functions should make a request to the General Manager. After the General Manager receives or is made aware of the request, the General Manager or his/her designee may require the employee or applicant to submit additional information in writing, including medical certification from a health care provider supporting the need for accommodation.

Once it is determined that the employee or applicant has a qualifying disability, the District will hold a discussion with the employee or applicant to determine if and how reasonable accommodation can be made. The purpose of this discussion is to timely communicate in good faith in order to understand restrictions or limitations on an employee's ability to perform essential job functions, or an applicant's ability to participate in the application process, and to fully consider all potential reasonable accommodations. The refusal or failure of an employee or applicant to participate or cooperate in this discussion may result in denial of accommodation.

Any information relating to the employee's or applicant's request for accommodation shall be kept confidential to the extent required by law and shall be kept in a file separate from applicant and personnel files.

The District determines, in its sole discretion, whether reasonable accommodation(s) can be made and the type of accommodation(s) to provide. The District will not provide accommodation(s) that would pose an undue hardship upon the District's finances or operations, endanger the health or safety of the employee or others, or eliminate an essential job function. The District will inform the employee or applicant of its decision as to reasonable accommodation(s) in writing.

#### **3230.4 Fitness for Duty Examination**

The General Manager (or designee) may require a fitness for duty examination to determine whether an employee can perform the essential functions of the job with or without accommodation, if the examination is job-related and consistent with business necessity. The General Manager (or designee) may require that a District-approved physician conduct the examination. The District will pay for fitness for duty examinations that it initiates.

**Personnel Management Section 3000 - ACKNOWLEDGMENTS  
AND AGREEMENTS**

**ACKNOWLEDGMENT AND AGREEMENT REGARDING RECEIPT OF DISTRICT'S EMPLOYEE RULES AND AT-WILL EMPLOYMENT STATUS**

This is to acknowledge that I have received a copy of the District's Rules and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities, and obligations of employment with the District. I understand and agree that it is my responsibility to read and familiarize myself with the provisions of the Rules and to abide by the rules, policies, and standards set forth in the Rules, including any updates to the Rules.

I acknowledge that I have received, read, and understood:

- District's Discrimination, Harassment and Retaliation Policies;
- District's Alcohol and Drug Abuse Policy;

I also acknowledge that my employment with the District is at will, not for a specified period of time, and can be terminated at any time for any reason, with or without cause, by me or by the District. I acknowledge that no statements or representations regarding my employment can alter the foregoing. As to the circumstances under which employment may be terminated, this is the entire Policy between the District and me; there are no oral or collateral agreements of any kind.

I agree to abide by the terms of the At-Will Employment (Section 3120) policy as executed by me and the District.

Employee's Name and Initials

Date

## **Appendix 3000 B**

### **ACKNOWLEDGMENT AND AGREEMENT REGARDING DISTRICT'S POLICY PROHIBITING DISCRIMINATION, HARASSMENT, AND RETALIATION**

This is to acknowledge that I have received a copy of District's policy prohibiting discrimination, harassment, and retaliation, and understand District's policy that there be no discrimination or harassment against any employee or applicant for employment on the basis of race, color, religion, sexual orientation, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, citizenship, national origin, ancestry, age (40 or older), physical disability, mental disability, medical condition (as defined by California law), genetic information, marital status, military and veteran status, political activity or affiliation, taking or requesting statutorily protected leave, or any other characteristics protected under federal, state, or local laws.

I understand that District is committed to a work environment free of harassment and discrimination, and that District specifically prohibits retaliation whenever an employee or applicant makes a good-faith complaint that they have been subjected to harassment or discrimination. Accordingly, I specifically agree that to the extent I am the subject of any conduct that I view to constitute harassment, discrimination, or retaliation or which is otherwise in violation of District's policy prohibiting discrimination, harassment, and retaliation, I will immediately report such conduct to my supervisor or to a management-level employee with whom I feel comfortable.

I understand and agree that to the extent I do not use the grievance procedures outlined herein or in District's policy prohibiting discrimination, harassment, and retaliation, District shall have the right to presume that I have not been subjected to any harassment, discrimination, or retaliation.

Employee's Name and Initials

Date

**Appendix 3000 C**

**ACKNOWLEDGMENT AND AGREEMENT REGARDING DISTRICT'S ALCOHOL AND DRUG ABUSE POLICY**

I have carefully and thoroughly read District's Alcohol and Drug Abuse Policy (3220.4). I agree, without reservation, to abide by the terms of that policy. I further agree to notify District of any conviction for any criminal drug or alcohol statute violation occurring in the workplace no later than five (5) days after such conviction. I understand that abiding by the terms of the Alcohol and Drug Abuse Policy and notifying District of workplace-related drug and alcohol convictions are conditions of my employment. I understand that any violation of the policy will result in disciplinary action, up to and including immediate termination.

Employee's Name and Initials

Date

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### **BOARD OF DIRECTORS MEETING**

**JUNE 13, 2019**

**ITEM 10.d.i.**

### **RESOLUTION (2019-09) OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT AFFIRMING THE ESTABLISHMENT OF THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2019-20**

#### **BACKGROUND**

California Constitution Article XIII B requires public agencies to establish an annual limit of maximum allowable appropriations based on a formula that begins with the appropriation limit of the previous year and considers adjustments to the County population and increases in either non-residential new construction or California per capita income. Both the population and per capita personal income change factors are provided by the California State Department of Finance.

To satisfy legal requirements, a Notice of Determination of the Appropriations Limit is required to be posted at least 15 days prior to the Board taking action on this item. To satisfy this requirement, the Notice of Determination was published in the West County Times on May 29, 2019. The calculation of the appropriations limit has also been posted on the District's website.

For Fiscal Year 2019-20, the appropriations limit has been calculated to be \$4,575,241. The District appropriations subject to the limit total \$3,265,400 which is \$1,309,841 below the limit.

In the early 1980's, the District held a special election where the voters of the District set the appropriations limit in a manner that required the District to go back to the voters every four years. The District has gone to the voters every four years, as required. The last special election was held in November 2018 and provides authorization for the appropriations limit calculation through the 2022-23 fiscal year.

#### **RECOMMENDATION:**

1. Discuss and receive comments;
2. Adopt Resolution 2019-09 affirming the establishment of the Appropriations Limit for Fiscal Year 2019-20.

**FISCAL IMPACT:** No fiscal impact

#### **ATTACHMENTS:**

Resolution 2019-09

Appropriations Limit Calculation

**SUBMITTED BY:** Anthony Constantouros, General Manager

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT  
 FY 2019-20 APPROPRIATIONS LIMIT CALCULATION WORKSHEET  
 APPROPRIATIONS SUBJECT TO LIMIT

	<u>Proceeds of Taxes</u>	<u>Non-Proceeds of Taxes</u>	<u>Total</u>
Police Activities			
Property Tax Levy	1,941,000		
Special Tax - Police	682,000		
Measure G Supplemental Tax Revenue	588,400		
Police Fees/Service Charges		1,500	
Kensington Hilltop Services Reimb.		0	
Crossing Guard Reimbursement		0	
Interest - Police	15,000		
POST Reimbursement		0	
Police Grants		100,000	
Miscellaneous Police Income		10,000	
Supplemental Workers Comp Reimb.		0	
Total Police Activities Revenue	3,226,400	111,500	3,337,900
Parks/Recreation Activities			
Taxes - L&L	39,000		
Community Center Revenue		0	
Miscellaneous Revenue		200	
Contributions for Community Center		0	
Total Parks/Recreation Revenue	39,000	200	39,200
District Activities Revenue			
Franchise Fees (Net)		51,430	
Interest		200	
Total District Activities Revenue	0	51,630	51,630
 TOTAL REVENUE	 \$3,265,400	 \$163,330	 3,428,730
 TOTAL PROCEEDS OF TAXES	 3,265,400		
LESS: REVENUE USED FOR CAPITAL	0		
 <b>TOTAL APPROPRIATIONS SUBJECT TO LIMIT</b>	 <b>\$3,265,400</b>		

FY 2019-20 APPROPRIATIONS LIMIT	\$4,575,241
FY 2019-20 APPROPRIATIONS SUBJECT TO LIMIT	<u>\$3,265,400</u>
 <b>FY 2019-20 APPROPRIATIONS UNDER LIMIT</b>	 <b><u>\$1,309,841</u></b>

**RESOLUTION NO. 2019-09**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT AFFIRMING THE ESTABLISHMENT OF THE APPROPRIATIONS LIMIT APPLICABLE TO THE DISTRICT DURING FISCAL YEAR 2019-20**

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

**WHEREAS**, at the November 6, 2018 election, District voters adopted Measure G, which established the appropriations limit for the District for Fiscal Year 2018-19 at \$4,375,000; and

**WHEREAS**, Article XIII B of the California Constitution and Section 61113 of the Government Code require that the District establish by resolution the applicable appropriations limit each fiscal year;

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

1. The Board of Directors hereby affirms the establishment of the appropriations limit for Fiscal Year 2019-20 at \$4,575,241.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote to wit:

AYES: \_\_\_\_\_  
Eileen Nottoli, President

NOES: \_\_\_\_\_  
Sylvia Hacaj, Vice President

ABSENT: \_\_\_\_\_  
Rachelle Sherris-Watt, Director

\_\_\_\_\_  
Len Welsh, Director

\_\_\_\_\_  
Cyrus Mondavi, Director

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Tony Constantouros, General Manager