



Agenda

Board of Directors
Kensington Police Protection
and Community Service District

Special & Regular Meetings
Thursday, February 10, 2022
Via Teleconference
6:00 p.m.

www.kppcsd.org/2022-02-10-kppcsd-board-meeting

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

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

Special Meeting – 6:00 p.m.

Call to Order

Roll Call

Special Meeting Agenda Item Public Comments

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

1. Teleconference Meetings During State of Emergency

Recommended Action: Adopt Resolution Determining That Current Circumstances Continue To Warrant Holding Meetings By Teleconference.

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

Adjournment to Closed Session

Special Meeting (Closed Session)

1. **Conference with Real Property Negotiators** (Government Code § 54956.8)
Consider matters related to properties: 303 Arlington Avenue
Agency negotiator: Interim General Manager Richard J. Benson
Under negotiation: price, terms of payment, space available.
Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org
2. **Recruitment of Permanent General Manager** (Government Code § 54957(b))
Recommended Action: Receive and discuss information relating to General Manager candidates.
Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

Regular Meeting - 7:00 p.m.

Call to Order

Announcement from Closed Session

Roll Call

Public & Consent Calendar Comments

All matters on the Consent Calendar are considered routine and are approved by one motion and vote, unless Board Member or General Manager first requests that a matter be removed for separate discussion and action. Individuals wishing to address the Board of Directors concerning Consent Calendar items or on matters not already on the agenda are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When you are called on by the Board President you will be unmuted and can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the President and Board of Directors, and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 217 Arlington Ave., Kensington, CA 94707 or llewis@kppcsd.org.

Consent Calendar

1. **Meeting Minutes for the Special and Regular Meetings of January 13, 2022 and January 24, 2022.**

Recommended Action: Approve meeting minutes.

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

2. **December 2021 Financial Reports**

Recommended Action: Receive and accept financial reports.

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

Discussion and Action

3. **Mid-Year Budget Review**

Recommended Action: Review the District's financial position as of December 31, 2021 and approve budget adjustments as recommended by staff.

Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

4. **Relocation of District Offices**

Recommended Action: Receive a report on possible options for relocating the District's facilities and review actions taken thus far. Provide staff with direction.

Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

5. **Permanent District Manager Position**

Recommended Action: Discuss possible adjustments to the District General Manager position to include compensation, benefits and hours.

Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

Comments & Reports

6. **Director Comments**

7. **Police Chief Report**

8. **General Manager Comments**

Adjournment

The next regular meeting is scheduled for March 10, 2022.

General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Service District, 217 Arlington Ave, Kensington, CA 94707.
- To be added to the Board Agenda Mailing List, complete and submit the form at <https://www.kppcsd.org/agenda-mailing-list> or by notifying the Clerk of the Board at llewis@kppcsd.org.

Posted Agenda

Public Safety Building – Colusa Food – Arlington Kiosk and at www.kppcsd.org. Complete agenda packets are available at the Public Safety Building at 217 Arlington Avenue, Kensington, CA 94707.

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

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, January 13, 2022

Via Teleconference

Draft

Special Closed Session Meeting

Call to Order [TS 3:36]

President Hacaj called the meeting to order at 6:03 p.m.

Roll Call [TS 3:48]

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

Staff present included Interim General Manager Richard J. Benson, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Public Comment [TS 4:06]

None.

1. Teleconference Meetings During State of Emergency [TS 4:34]

President Hacaj presented the recommended action for adopting the resolution to continue to meet by teleconference.

- Motion by President Hacaj, seconded by Director Sherris-Watt, to adopt the resolution determining that current circumstances continue to warrant holding meetings by Zoom, carried (4-0-1) by the following roll call vote: (AYES) Directors Deppe, Nottoli, Sherris-Watt and Hacaj; (NOES) None; (ABSENT) Director Logan.

Resolution No. 2022-01 – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Making Findings And Determining A Need To Continue Holding Remote Meetings By Teleconference.

Adjournment to Closed Session [TS 5:32]

The Board adjourned to Closed Session to consider three items: Conference with Real Property Negotiators, recruitment of a permanent General Manager, and Conference with Labor Negotiators.

Regular Meeting

Call to Order [TS 1:12:28]

President Hacaj called the meeting to order at 7:11 p.m.

Announcement from Closed Session [[TS 1:12:42](#)]

President Hacaj announced that the Board gave direction to its labor negotiator and the Board would return to closed session at the conclusion of its regular meeting.

Roll Call [[TS 1:12:56](#)]

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

Staff present included Interim General Manager Richard J. Benson, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Public & Consent Calendar Comments [[TS 1:14:47](#)]

- The following persons addressed the Board: 1) Lynn Wolter urged the Board to reinsitute the practice of providing routine monthly financial reports, and asked about police staffing numbers; and 2) A. Stevens Delk commented that the Policies & Procedures Manual page numbers need to be reformatted.

Consent Calendar [[TS 1:18:21](#)]

- Motion by President Hacaj, seconded by Director Sherris-Watt, to adopt Items 1-3 on the Consent Calendar, carried unanimously (4-0-1) by the following roll call vote: (AYES) Directors Deppe, Nottoli, Sherris-Watt and Hacaj; (NOES) None; (ABSENT) Director Logan.
1. **Meeting Minutes for December 9, 2021 Special and Regular Meetings and January 3, 2022 Special Meeting.**

Approved meeting minutes as presented.
 2. **November 2021 Financial Reports.**

Received and accepted financial reports.
 3. **Contract with DMG Engineering for Survey Services.**

Approved contracting with DMG Engineering to conduct a survey of District owned property in an amount not to exceed \$19,000 and authorize Interim Manager to sign a letter of engagement.

Discussion and Action

4. **Review of Proposed Gore Lot (Kensington Corner) Improvement Project.** [[TS 1:19:17](#)]

Interim General Manager Richard J. Benson presented the recommended action to approve the conceptual proposal from the Kensington Improvement Committee (KIC) to improve the

landscaping on the Gore Lot located at the intersection of Coventry Road and Arlington Avenue. The project would be at no cost to the District.

KIC representatives Sarah Gough and Lisa Coronna presented the organization's proposed landscape plan. Board members provided input on the proposal (i.e. more Board discussion, additional community outreach, liability issues, irrigation, timing, and the handrails on stairs).

- The following person addressed the Board: 1) Steven Simirin asked about the pedestrian walkway.
- Motion by President Hacaj, seconded by Director Nottoli, that we in principle approve in concept the proposal from the Kensington Improvement Committee to improve the landscape on the lot at the corner of Coventry Road and Arlington Avenue and this does not change the lot other than providing some enhancements, carried (3-1-1) by the following roll call vote: (AYES) Directors Nottoli, Sherris-Watt and Hacaj; (NOES) Director Deppe; and (ABSENT) Vice-President Logan.

5. Amendment #2 to Bay View Refuse Agreement. [[TS 1:56:31](#)]

Interim General Manager Richard J. Benson presented the recommended action to approve the second amendment to the Franchise Agreement with Bay View Refuse and Recycling Services which would address participation by commercial customers to comply with SB1383.

- The following person addressed the Board: 1) A. Stevens Delk thanked the District for amending the agreement to insure that restaurants will not have to pay extra for organic waste, and she asked about container sizes and pick up frequency.
- Motion by Director Sherris-Watt, seconded by President Hacaj, that we approve the amendment to the franchise agreement for solid waste, recyclable materials, and organic materials collection services between KPPCSD and Bay View Refuse and Recycling services, with the one change to the last sentence of page one to say 32 gallons instead of 35, carried (4-0-1) by the following roll call vote: (AYES) Directors Deppe, Nottoli, Sherris-Watt and Hacaj; (NOES) None; and (ABSENT) Director Logan.

Director Comments & Reports

6. Director Comments. [[TS 2:07:37](#)]

- Director Nottoli commented on conversations from Nextdoor about Kensington residents being charged higher sales tax for online and car purchases based on its zip code. The zip code, even if changed online, is often charged the Berkeley or Albany tax rate which is about two percent higher than the Kensington rate of 8.75%. Director Nottoli noted the significance is that money is going to Alameda County that should go to Contra Costa County, and the District's funds come from Contra Costa County. She reported bringing this to Supervisor John Gioia's attention, and he is looking into the matter so that online orders and car purchases when you live in Kensington will be charged the 8.75% tax rate instead of the 10.25% rate of Berkeley or the 10.75% rate in Albany.

- Director Sherris-Watt commented that if residents are looking for at-home COVID tests, they may be available through Supervisor John Gioia’s office.

7. General Manager Comments. [\[TS 2:09:49\]](#)

- Interim General Manager Benson reported that the project to fix the stairs between the school and the park is underway and should be completed soon. He also reported that current police staffing includes 6 officers and 1 reserve officer.

Adjournment to Closed Session [\[TS 2:11:08\]](#)

The Board adjourned to Closed Session to continue its discussion at 8:11 p.m.

Announcement from Closed Session [\[TS 2:37:23\]](#)

President Hacaj announced that the Board adjourned the Closed Session Meeting at 8:34 p.m. She reported that the Board gave direction to its lead negotiator on real estate matters.

Adjournment [\[TS 2:37:36\]](#)

President Hacaj adjourned the meeting at 8:36 p.m.

The next regular meeting is scheduled for Thursday, February 10, 2022.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: February 10, 2022

Richard J. Benson, Interim General Manager

Sylvia Hacaj, President of the Board

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, January 24, 2022

Via Teleconference

7:00 p.m.

DRAFT

Special Meeting - Closed Session

Call to Order [[TS 7:25](#)]

President Hacaj called the Special Meeting to order at 6:03 p.m.

Roll Call [[TS 7:39](#)]

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

Staff present included Interim General Manager Richard J. Benson, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Public Comments [[TS 8:01](#)]

None.

Adjournment to Closed Session [[TS 8:10](#)]

The Board adjourned to Closed Session to interview and discuss candidates for the position of District General Manager.

Announcement from Closed Session [[TS 1:43:21](#)]

President Hacaj announced that the Board adjourned the Closed Session Meeting at 8:36 p.m. She reported that the Board took no action and had nothing to report.

Adjournment [[TS 1:43:31](#)]

President Hacaj adjourned the meeting at 8:40 p.m.

The next regular meeting is scheduled for Thursday, February 10, 2022.

KPPCSD Special Meeting Minutes

January 24, 2022

Page 2 of 2

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: February 10, 2022

Richard J. Benson, Interim General Manager

Sylvia Hacaj, President of the Board



KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

February 10, 2022

ITEM 2

***Revised* FINANCIAL REPORTS FOR THE MONTH OF DECEMBER 2021**

SUMMARY OF RECOMMENDATION

Receive financial reports for the month ending December 2021.

ATTACHMENTS *Revised on February 16, 2022

1. Summary Balance Sheet as of December 31, 2021.
2. Budget vs. Actual Snapshot through December 31, 2021.
3. Revenue and Expense Report Detail through December 31, 2021.

SUBMITTED BY:

Lisa Mundis

Lisa Mundis

Finance Director

Kensington Police Protection & Community Services District

* Revised Budget to Actual Snapshot

July through December 2021

	Actuals		\$ Over Budget		
	Jul - Dec 21	YTD Budget	(Under Budget)	% of Budget	Annual Budget
Ordinary Revenue/Expense					
Revenue					
400 · Police Activities Revenue	3,491,096	3,472,957	18,139	100.5%	3,539,457
405 · Meas WW Grant	158,358				
420 · Park/Rec Activities Revenue	724	43,184	(42,460)	1.7%	74,184
440 · District Activities Revenue	41,940	194,193	(152,253)	21.6%	401,252
Total Revenue	<u>3,692,118</u>	<u>3,710,334</u>	<u>(18,216)</u>	<u>99.5%</u>	<u>4,014,893</u>
Gross Revenue	3,692,118	3,710,334	(18,216)	99.5%	4,014,893
Expense					
500 · Police Sal & Ben	1,058,213	885,552	172,661	119.5%	2,043,197
550 · Other Police Expenses	304,308	308,792	(4,484)	98.5%	470,748
600 · Park/Rec Sal & Ben	2,550	0	2,550	100.0%	0
635 · Park/Recreation Expenses	119,597	136,899	(17,302)	87.4%	257,852
800 · District Expenses	310,171	375,576	(65,404)	82.6%	710,489
950 · Capital Outlay	20,462	127,221	(106,759)	16.1%	285,059
Total Expense	<u>1,815,302</u>	<u>1,834,041</u>	<u>(18,739)</u>	<u>99.0%</u>	<u>3,767,345</u>
Net Ordinary Revenue	1,876,816	1,876,293	523	100.0%	247,548
Other Revenue/Expense					
Other Expense					
700 · Bond Issue Expenses	(75)	0	(75)	100.0%	0
Total Other Expense	<u>(75)</u>	<u>0</u>	<u>(75)</u>	<u>100.0%</u>	<u>0</u>
Net Other Revenue	75	0	75	100.0%	0
Net Revenue	<u><u>1,876,891</u></u>	<u><u>1,876,293</u></u>	<u><u>598</u></u>	<u><u>100.0%</u></u>	<u><u>247,548</u></u>

Kensington Police Protection & Community Services District

*Revised Revenue & Expense Report - Detailed

July through December 2021

Jul - Dec 21

Ordinary Revenue/Expense

Revenue

400 · Police Activities Revenue	
401 · Levy Tax	2,093,733
402 · Special Tax-Police	685,470
404 · Measure G Supplemental Tax Rev	620,988
415 · Grants-Police	88,851
418 · Misc Police Revenue	2,053

Total 400 · Police Activities Revenue	<u>3,491,096</u>
---------------------------------------	------------------

405 · Restricted Lost/Found/Misc	158,358
----------------------------------	---------

420 · Park/Rec Activities Revenue	
423 · Misc Tax-Park/Rec	15
427 · Community Center Revenue	100
438 · Tennis Court Revenue	609

Total 420 · Park/Rec Activities Revenue	<u>724</u>
---	------------

440 · District Activities Revenue	
448a · Franchise Fees Gross	42,009
448b · less Franchise Fees Paid Out	(1,484)
449 · District Revenue	2
458 · Misc District Revenue	1,412

Total 440 · District Activities Revenue	<u>41,940</u>
---	---------------

Total Revenue	<u>3,692,118</u>
---------------	------------------

Gross Revenue	<u>3,692,118</u>
---------------	------------------

Expense

500 · Police Sal & Ben	
502 · Salary - Officers	450,242
506 · Overtime	80,920
508 · Salary - Non-Sworn	5,252
509 · Hiring Bonus	4,000
516 · Uniform Allowance	3,864
521-A · Medical/Vision/Dental-Active	63,182
521-R · Medical/Vision/Dental-Retired	97,091
522 · Insurance - Police	3,523
523 · SocialSecurity/Medicare-Police	7,858
524 · Social Security - District	2,185
527 · PERS - District Portion	94,291
529 · Pension Obln Bond Payment	214,200
530 · Workers Comp	31,607

Total 500 · Police Sal & Ben	<u>1,058,213</u>
------------------------------	------------------

550 · Other Police Expenses	
552 · Expendable Police Supplies	7,314
554 · Traffic Safety	1,541
560 · Crossing Guard	7,363
561 · Vehicle Fuel	7,450

Kensington Police Protection & Community Services District
Revenue & Expense Report - Detailed
 July through December 2021

	<u>Jul - Dec 21</u>
562 · Vehicle Operation	11,406
563 · Vehicle Lease	19,857
564 · Communications	143,763
566 · Radio Maintenance	9,720
567 · Alarm	581
568 · Prisoner/Case Exp./Booking	0
570 · Training	3,462
571 · Records	2,625
572 · Hiring	6,752
574 · Reserve Officers	597
576 · Misc. Dues, Meals & Travel	2,990
580 · Utilities - Police	4,234
581 · Bldg Repairs/Maint.	1,837
582 · Expendable Office Supplies	883
587 · IT Contract	7,693
588 · Telephone	16,577
590 · Janitorial	3,103
591 · General Liability Insurance	31,893
592 · Publications	750
594 · Community Policing	200
595 · Legal/Consulting - Police	7,472
599 · Police Taxes Measure G Admin	2,061
550 · Other Police Expenses - Other	2,186
Total 550 · Other Police Expenses	<u>304,308</u>
600 · Park/Rec Sal & Ben	
602 · Custodian	2,550
Total 600 · Park/Rec Sal & Ben	<u>2,550</u>
635 · Park/Recreation Expenses	
640 · Community Center Expenses	
641 · General Maintenance	2,500
642 · Utilities-Community Center	11,576
643 · Janitorial Supplies	350
644 · Landscaping	11,575
645 · General Liab./Workers Comp	8,253
646 · Community Center Repairs	4,789
Total 640 · Community Center Expenses	<u>39,043</u>
650 · Park	
651 · General Maintenance	15,136
652 · Repairs	9,955
653 · Landscaping	41,500
656 · Utilities	(49)
657 · General Liab/Workers Comp	7,973
658 · Levy Administration	2,996
659 · Misc	3
	<u>3</u>

Kensington Police Protection & Community Services District
Revenue & Expense Report - Detailed

July through December 2021

	<u>Jul - Dec 21</u>
Total 650 · Park	77,514
678 · Misc Park/Rec Expense	3,040
Total 635 · Park/Recreation Expenses	<u>119,597</u>
800 · District Expenses	
807 · Salaries	135,320
808 · Payroll Taxes	11,506
810 · IT Contract	12,113
815 · Admin Communications	1,810
816 · Office Supplies	877
817 · Postage	357
818 · Mileage	201
819 · Dues/Subscriptions	7,732
820 · Copier Contract	2,239
825 · Board Continuing Ed/Conferences	(2,799)
830 · Legal (District/Personnel)	19,561
835 · Consulting	6,885
840 · Accounting	47,333
850 · Insurance	31,893
851 · Workers Comp	72
861 · LAFCO	1,661
865 · Police Bldg. Lease	21,352
870 · County Expenditures	7,131
891 · COVID	1,456
898 · Misc. Expenses	3,616
800 · District Expenses - Other	<u>(144)</u>
Total 800 · District Expenses	310,171
950 · Capital Outlay	
968 · Office Furn/Eq	462
982 · Police Building Cap Projects	20,000
Total 950 · Capital Outlay	<u>20,462</u>
Total Expense	<u>1,815,302</u>
Net Ordinary Revenue	1,876,816
Other Revenue/Expense	
Other Expense	
700 · Bond Issue Expenses	
710 · Bond Admin.	1
715 · Bond Interest Revenue	(76)
Total 700 · Bond Issue Expenses	<u>(75)</u>
Total Other Expense	<u>(75)</u>
Net Other Revenue	75
Net Revenue	<u><u>1,876,891</u></u>

Kensington Police Protection & Community Services District

*Revised Summary Balance Sheet

As of December 31, 2021

	<u>Dec 31, 21</u>
ASSETS	
Current Assets	
Checking/Savings	2,446,253
Accounts Receivable	1,497,889
Other Current Assets	146,074
Total Current Assets	<u>4,090,216</u>
Fixed Assets	5,403,160
Other Assets	3,545,590
TOTAL ASSETS	<u><u>13,038,966</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	(144)
Credit Cards	(3,649)
Other Current Liabilities	10,300
Total Current Liabilities	<u>6,507</u>
Long Term Liabilities	10,434,103
Total Liabilities	<u>10,440,609</u>
Equity	2,598,356
TOTAL LIABILITIES & EQUITY	<u><u>13,038,966</u></u>



Date: February 10, 2022
To: Board of Directors
From: Rick Benson, Interim General Manager
Subject: Mid-Year Budget Review

Recommendation:

It is recommended that your Board a) review and receive the mid-year budget report and approve the recommended budget adjustment.

Background:

On June 29, 2021 your Board approved the District's operating budget for Fiscal Year 2021-22. The budget was constructed utilizing the best information available at that time.

Government entities are required to review and, if necessary, revise the operating budget at the midyear point.

Discussion and Analysis:

Attached is a summary of the District's Revenues & Expenses as of December 31, 2021.

The KPPCSD budget has performed extremely well during the first half of the year. Revenues are in line with expectations and there have been no major unanticipated expenses. Overall, district expenses are running below the budgeted amounts. This is primarily due to salary savings. The Police Department has not been fully staffed and the costs of the administrative staff are running below the budgeted amounts.

There have been some expense overruns. Most notably the use of an outside accounting firm during the financial manager transition and certain IT expenses, some of which may be recoverable.

There are two midyear budget requests:

1. Our IT consultant has informed us that the server used by the District has reached its storage limit and needs to be replaced the estimated cost for the server is \$14,000 plus an additional \$5,000 for installation data-transfer and software updates.
2. The Police Chief has requested additional funds for the purchase of nonlethal weapons and rifles for the department. Nonlethal weapons can be a valuable tool for officers in situations where limited force is required. In most departments, rifles are a standard issue for law enforcement officers. There are situations where officers are at a distinct disadvantage without this weaponry

putting the public and officers at risk. Previously, officers were expected to purchase their own rifles, at the officer's discretion.

It is recommended that your Board a) approve a budget transfer in the amount of \$19,000 from budget line item 502, Salaries, to budget line item 969, Capital Expenses, Computer Equipment and b) approve a budget transfer in the amount of \$15,000 from budget line item 502, Salaries, to budget line item 571, Departmental Expense.

Fiscal Impact:

If approved, there is no additional fiscal impact other than a loss of a potential increase to the carryover fund balance.

Attachment: Mid-Year Revenues & Expenditures

REVENUES		Anticipated 12/31/21	Received 12/31/21	% of Anticipated	Total Annual Budget	Notes
Property	Taxes	\$ 3,236,609	\$ 3,400,192	99.80%	\$ 3,406,957	Property taxes are front loaded
Police	Grants	\$ 62,500	\$ 88,851	71.08%	\$ 125,000	
Franchise (net)	Fees	\$ 31,350	\$ 40,525	64.63%	\$ 62,700	
Other		\$ 210,118	\$ 4,190	1.00%	\$ 420,236	
TOTAL		\$ 3,540,577	\$ 3,533,758	88.02%	\$ 4,014,893	
EXPENDITURES		Anticipated 12/31/21	Actual 12/31/21	% of Anticipated	Total Annual Budget	Notes
Police Salaries & Benefits		\$ 1,235,799	\$ 1,058,213	86%	\$ 2,043,197	Significant salary savings
Other Salaries & Benefits		\$ 220,979	\$ 146,826	66%	\$ 441,958	
Police Other Expenses		\$ 308,792	\$ 304,308	99%	\$ 470,748	
Admin Other Expenses		\$ 134,265	\$ 163,345	122%	\$ 268,530	
Park & Rec Expenses		\$ 128,926	\$ 119,597	93%	\$ 257,852	
Capital Projects		\$ 142,530	\$ 20,462	14%	\$ 285,057	
TOTAL		\$ 2,171,291	\$ 1,812,751	83%	\$ 3,767,342	

REVENUES		Anticipated 12/31/21	Received 12/31/21	% of Anticipated	Total Annual Budget	Notes
Property	Taxes	\$ 3,236,609	\$ 3,400,192	100%	\$ 3,406,957	Property taxes are front loaded
Police	Grants	\$ 62,500	\$ 88,851	142%	\$ 125,000	
Franchise (net)	Fees	\$ 31,350	\$ 40,525	129%	\$ 62,700	
Other		\$ 210,118	\$ 162,550	77%	\$ 420,236	
TOTAL		\$ 3,540,577	\$ 3,692,118	104%	\$ 4,014,893	

EXPENDITURES		Anticipated 12/31/21	Actual 12/31/21	% of Anticipated	Total Annual Budget	Notes
Police Salaries & Benefits		\$ 1,235,799	\$ 1,058,213	86%	\$ 2,043,197	Significant salary savings
Other Salaries & Benefits		\$ 220,979	\$ 149,377	68%	\$ 441,958	
Police Other Expenses		\$ 308,792	\$ 304,308	99%	\$ 470,748	
Admin Other Expenses		\$ 134,265	\$ 163,345	122%	\$ 268,530	
Park & Rec Expenses		\$ 128,926	\$ 119,597	93%	\$ 257,852	
Capital Projects		\$ 142,530	\$ 20,462	14%	\$ 285,057	
TOTAL		\$ 2,171,291	\$ 1,815,302	84%	\$ 3,767,342	

Revised 12/10/22



Date: February 10, 2022
To: Board of Directors
From: Rick Benson, Interim General Manager
Subject: District Relocation

Recommendation:

It is recommended that your Board a) review and consider the various options for relocating the district facilities; b) invite and consider public input and; c) provide staff with direction for actions to be taken in the future.

Background:

One of the most pressing issues facing the KPPCSD is the need to identify and then execute a move to a new location. This became necessary when the Kensington Fire Department made the decision to upgrade the Public Safety Building on Arlington Avenue and determined that they could no longer accommodate the CSD and the police staff.

Upon being informed that the Fire Department Board had made this decision, your Board began the process of exploring options to assure that the Police Department and other staff would be able to find a suitable location in order to continue serving the community. Initially, your Board made it known that the preferred course of action would be to identify a solution allowing Police and CSD operations to remain at the current location, since the prospect of moving was and is a significant and extremely costly change to the status quo. The Fire Board has maintained their position that this is not a viable option.

For over a year the KPPCSD has been addressing the issue. Unfortunately, given the nature and constraints of Kensington, there are not many viable options. Therefore, as of this time, the district has not found a new home.

Discussion and Analysis:

Listed below are some of the alternatives that either have been or are currently being considered but are not likely replacements for the current offices.

Narsai's Restaurant Building. This building was reviewed and determined not to be ideal for the District needs. It is also doubtful that a suitable arrangement can be made with the owner. The formerly vacant lot near the site was also considered, however, construction activity was recently initiated at that location.

County Parking Lot. There is currently a parking lot at Covington & Ardmere. This County owned site. It is probably too small for the District's needs.

East Bay Municipal Utility District Property Located at Berkeley Park Boulevard and Lexington Road, there is space available on the grounds of the San Pablo Water Treatment Plant at 300 Ocean View Ave. This site provides enough area for all parking and building needs. It is a long shot in that it is unlikely that EBMUD will be interested in leasing a portion of their property. This option has not been fully pursued.

268 Arlington Avenue. This building could be adapted to meet the needs of the District, however, the property is currently not available. The owner was approached and is not interested in selling.

Other Existing Properties. The District could also attempt to purchase a currently occupied residential site. This would require demolition of a structure and placing a new district building at the location.

As a public entity, KPPCSD has the ability to initiate eminent domain proceedings to acquire a property. This would be an extreme measure and is not currently under consideration.

Options Currently Under Consideration

After reviewing the previously noted possibilities the District appears to have a narrow range of viable choices. Both of which warrant further review.

303 Arlington Avenue. This commercial building located behind the hardware store could be adapted and, in many ways, is a viable option. Based on reviews by experts, the building is structurally sound. It is large enough to serve the District's needs.

There are, however, some constraints which need to be considered. Although not deemed absolutely necessary, in order to provide safety assurances in the event of an earthquake several seismic improvements have been recommended. These improvements come at a cost approaching \$500,000. In order to modify the building to provide for a functional Police Department other tenant improvements of approximately \$800,000 are necessary.

The District has been in negotiations with the owner of 303 Arlington. Although it was the original intent to rent the building, given the costs of the potential improvements, the District approached the owner regarding the possible sale of the building. This week the offer to buy the property was declined by the owner. Discussions regarding renting the building are still ongoing.

Community Center/District Property. The land surrounding the Kensington Community Center is also considered a viable option. There are numerous scenarios at that location which could serve the purposes of providing for the Police Department and District Offices. These options include, but are not limited to:

- Remodeling the Annex building.
- Demolishing the Annex building and replacing it with either a newly constructed building or a modular building.

- Placing modular offices at some other site on the property.
- Utilizing Building E and providing for a new location for the Kensington Community Council.

It should be emphasized that none of these options have been fully explored.

Fiscal Impact:

As noted, the cost of modifying the building at 303 Arlington is estimated to be approximately \$1.3 million.

The raw cost of a fully functional modular building is expected to be approximately \$800,000 plus design costs, site preparation costs and whatever costs are necessary to provide for utilities. Once again, \$1.3 million is a working estimate.

Costs incurred on property owned by the District or the cost of acquiring property itself lends itself more readily to financing options. Financing improvements on a building not owned by the District, while not implausible, would be more difficult.

Previously, the Board of the Fire Department has expressed some willingness to assist KPPCSD in defraying some of the costs associated with the move. However, no specifics have been offered and much of the fire district funds availability are contingent upon their success in qualifying for a grant and the ultimate cost of their move. They will be experiencing costs exceeding \$1 million for a temporary location to house their operations while the current building gets remodeled.

The KPPCSD is in a position to absorb from \$800,000-\$1 million in relocation expenses. Anything beyond these amounts will require consideration of outside financing and/or a review of possible adjustments to the tax rates, subject to voter approval.



Date: February 10, 2022
To: Board of Directors
From: Rick Benson, Interim General Manager
Subject: General Manager Compensation

Recommendation:

Discuss possible adjustments to the District General Manager position to include compensation, benefits and hours.

Rationale for Recommendation:

Without question, securing the services of a qualified individual to fill the top leadership role is critical to the stability and effectiveness of any organization. The District has had difficulty recruiting and retaining qualified individuals for the manager position. Therefore, an enhancement to the compensation is recommended.

Background:

For the KPPCSD, finding the right person to fill the role of General Manager has been an ongoing challenge. After more than one interim manager occupied the position, the District utilized the services of a professional recruiting agency successfully obtaining the services of the prior General Manager who left after less than a year. Her decision to leave was based, in part, on the compensation offered by the district. Kensington KPPCSD is competing with numerous cities, other districts and counties when seeking to hire a professional manager. Unfortunately, the pool of qualified individuals is rather limited.

Last October your Board addressed this issue and modified the compensation to include either medical insurance, a 457 plan contribution or additional compensation of \$1,383 per month.

Discussion and Analysis:

The current salary for the position has a range of \$95 per hour to \$106.25 per hour and it is designated to be part-time, defined as no more than 30 hours per week. Assuming the director works 30 hours every week at \$105 per hour this computes to an annual compensation of approximately \$158,000 or a full-time equivalent of \$211,000. This is before the application of the "cafeteria plan" compensation. Based on the responses to the District's recruiting efforts, this package may not be adequate.

The single greatest hindrance in securing the services of a permanent manager is that the position does not provide for CalPERS retirement, while at the same time, CalPERS does not allow a retired annuitant to serve as a permanent manager. Therefore, it may be necessary to provide for this benefit. CPS and district staff are currently exploring the options with CalPERS. At this time we do not have a full cost analysis to present to your Board.

Another obstacle is that the position is part-time. While this may be attractive to some it may also be a negative factor to others. A related factor is that the position currently pays an hourly rate rather than a set salary. While it could remain part-time, a salaried part-time position offers a greater sense of stability to potential candidates.

Summary:

The recommendation is to discuss the various options to make the position more attractive and to give staff direction regarding the general enhancements to the compensation your Board wishes to pursue.

Fiscal Impact:

There is no fiscal impact at this time. The fiscal impact will depend on which course of action is pursued and will be presented to your Board in the future as part of any compensation package revision.