

Meeting Minutes for 10/13/16

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, October 13, 2016, at 6:00 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. A Regular Meeting of the Board, in Open Session, followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Mabry Benson
Rachelle Sherris-Watt, Vice President	Linda Lipscomb
Chuck Toombs, Director	Celia Concus
Patricia Gillette, Director	Catherine de Neergaard
	Gretchen Gillfillan
	Peter Liddell
	A. Stevens Delk
	Skye Dent
<u>Staff Members</u>	Karl Kruger
Interim GM/COP Kevin Hart	Leslie Reckler
Lynn Wolter, District Administrator	Marilyn Stollon
	John Gaccione
<u>Press</u>	Ron Wiselman
	David Spath
	Frank Lossy
	Jim Watt
	Lori Trevino
	Leonard Schwartzburd

President Welsh called the meeting to order at 6:05 P.M. President Welsh, Vice President Sherris-Watt, Director Toombs, Director Gillette, and Interim GM/COP Hart were present. Director Cordova was absent.

PUBLIC COMMENTS

Linda Lipscomb thanked IGM/COP Hart and said it had been a pleasure to have had him serving the community and noted his consummate professionalism. She said Kensington was the fifth safest community in the state, and she thanked him for this.

Mabry Benson said that Closed Session Item 3c was cryptic and asked if agendas could be more clear. She asked why the October 1, 2016 interview had not been announced on that meeting's agenda and when the Board had been told about IGM/COP Hart's resignation. She noted that there was an issue with CalPERS regarding IGM/COP Hart's time allocation in his roles as GM and COP and that the time allocation issue should be taken into consideration during interviews for the position.

Catherine de Neergaard said a recent police shooting indicated that communities and police needed to come together, and she said IGM/COP Hart had brought together the Kensington community and its police. She said that he had reached out to the community and that this was a model for what should be going on. She thanked IGM/COP Hart and said she was sorry to hear he was leaving.

Celia Concus said that, at the Board's prior meeting, she had read Mabry Benson's comments about why the CalPERS report had not been made public. She noted that the report had been sent to all the Directors in January. Director Toombs responded that he hadn't received the report in January.

The Board entered into Closed Session at 6:14 P.M.

- a. Public employment: Title: (General Counsel) – Pursuant to Government Code Section 54957.
- b. Public employee performance (Government Code section 54957(b) Title: Interim General Manager/Chief of Police.
- c. Conference with labor negotiators (Government Code Section 54957.6) Agency Designated Representatives: Jonathan Holtzman/Randy Riddle, Renne Sloan Holtzman Sakai LLP: Unrepresentative Employee: General Manager/Chief of Police.

The Board returned to Open Session at 7:29 P.M.

Roll call: President Welsh, Vice President Sherris-Watt, Director Toombs, and Director Gillette were present. Director Cordova was absent.

President Welsh reported that no action had been taken on any of the three Closed Session items.

IGM/COP Hart announced that the new sound system had been installed and that it included better microphones and assisted listening devices.

Vice President Sherris-Watt read a statement that had been sent by Director Cordova:

“Earlier this week, I was hospitalized in Italy due to an autoimmune induced cardiovascular event. I was discharged yesterday with a very good prognosis but will continue immunosuppressive therapy until my status improves. While I am unable to travel by plane at this time, I will continue to conduct district business by phone and email. Despite the challenging language barrier, I am receiving excellent medical care and resting comfortably.”

Leslie Reckler said she had been a Kensington resident since the year 2000 and cited her involvement with the Korematsu Middle School and the Kensington Hilltop School and said she now serves on Bayside Council of PTAs. She thanked the members of the Board for their service. She said she had come to speak in order to ask for the community's support of Measure T and Proposition 55, both of which she said would help public schools. She noted that Measure T was a renewal of an already existing tax that would continue to support school programs. She said that Proposition 55, a statewide measure and also not a new tax, would be an extension of a proposition passed in 2012 that had restructured the way in which public schools were funded. She reported that California's public schools ranked 42nd, an improvement from its earlier standing as 49th, in state spending. She noted that, despite this lagging funding, 13 of the West Contra Costa School District's schools, including the Kensington Hilltop School, had received California Department of Education gold ribbon awards for innovative practices.

Mabry Benson said that, at the Board's September 20th meeting, she had asked why there had been no mention of the CalPERS audit at meetings or in General Manager Reports. She noted that she had received no answer. She said she had heard later that Director Toombs had told someone that she had been talking about a confidential report. She said she wanted Director Toombs to clarify that the report was not confidential. Director Toombs responded that he didn't recall having said that and that, if it were a CalPERS audit, he couldn't imagine why it would be confidential. Director Toombs added that the only thing he had said to Celia Concus was that he had not received the report. Director Gillette

commented that Vice President Sherris-Watt had not received the document either, which Vice President Sherris-Watt confirmed. President Welsh said he, too, didn't remember receiving it and added that he thought it was pretty routine for CalPERS agencies to receive these reports. Ms. Benson said it was inexcusable that the report had been buried. She said that IGM/COP Hart had claimed in a letter to CalPERS that all his time was spent on public safety duties and that the Brown Taylor report allocated 65% to the COP. She said that Dr. Spath had noted that all the items cited in the CalPERS audit had occurred while former GM/COP Harman had been at the District. She noted that IGM/COP Hart was appealing some of the items, so it was still a current issue. Ms. Benson asked how much the legal opinion about needing a three-fifths vote to amend the Policy and Procedures Manual had cost.

Jim Watt said he had just returned from six weeks abroad and so had just learned about the CalPERS audit of the District's pension plan. He said the document indicated that the IGM/COP and the Directors had been copied on the findings, and thus he had assumed they had been informed of the findings. He said that item #5 in the report indicated that the GM/COP's pension should be based only on that portion of his time devoted to police duties – it should not include time spent on GM duties. He said he believed the Brown Taylor Report that said that 35% of the GM/COP's time was devoted to GM work because of the amount of time the GM/COP must spend at Board and Finance Committee meetings, on park and park building issues, and dealing with audits and legal matters. He said that, for IGM/COP Hart to claim that the two roles are “enmeshed” did not make sense. He said the Board should expect a one-third GM and a two-thirds COP split. He noted that, on this basis, IGM/COP Hart's pensionable benefit would drop from 3% to 2% annually. He said that, for the approximately 18 months of service, IGM/COP Hart's total Kensington pension would drop from about \$6,500 to \$4,300 annually. He said that if IGM/COP Hart or his spouse were to live another 20 years, this would be a savings to Kensington taxpayers of \$44,000. He asked why the concerns of this report had not been brought to the public's attention and why it hadn't been included as an agenda item for the Board to discuss. He asked why Board members – especially those who had served for a long time – and legal counsel not been aware of the issue and taken steps to bring the District into conformity. He asked if former GM/COP Harman's pension had been appropriately adjusted and if this would be clarified in future contracts into which the District might enter. He asked why, with IGM/COP Hart leaving, the Board wasn't looking at a part-time GM since the evidence suggested that this job could be done in a 20-hour workweek. He said the evening's agenda dealt with procedural issues, such as limiting the public's comments from five to three minutes and allowing meetings to extend beyond 10:00 P.M. He asked why there had been no mention of this pension issue or the choices about who might replace IGM/COP Hart. He also asked why the Board would not be discussing the recent CalPERS valuation study, which showed that, a year ago, the District's unfunded reserves had increased by \$514,000. He said that, once again, the public had been left in the dark about the issues that really matter.

Leonard Schwartzburd said that everything he was going to say related to the upcoming election and the fitness of the controlling majority of the Board to continue governing the community. He said that amending the Policy and Procedures Manual to a three-fifths requirement to amend to extend meetings beyond 10:00 P.M. should be left to the new Board. He said the new Board may vote to amend it if the current Board voted to change it. He asked if the Policy and Procedures Manual was governing or only advisory. He said President Welsh and Director Toombs had repeatedly claimed the Manual was a set of guidelines. He said the misguided attempt to amend made it seem like the “old guard” that had so badly mismanaged Kensington was trying to maintain its grasp on power. He said that, for those who were motivated by power, losing was painful. He said that, with the attempt to amend it, the Manual appeared to be governing, which, he said, was a threat to their power. He asked who was overseeing IGM/COP Hart's retirement benefits and his claim that 100% of his time was devoted to COP. He said IGM/COP Hart hadn't done his job as a District Manager when he had allowed himself, as COP, to make what appeared to have been his specious claim. He asked if the Board had assured that the District would not be paying more in retirement benefits to IGM/COP Hart than he had a right to. He said that the COP part of the job was 50% time and the GM part wasn't covered and asked if, under those circumstances, he was entitled to any benefits. He asked if the community was entitled to recover 50% of the cost since IGM/COP Hart said he hadn't done 50% of his job. He said some people were of the opinion that this had been a violation of law and asked if the Board was dealing with this issue. He

said the public had a right to know whether the Board, still dominated by the old guard, was finally protecting the taxpayers by exercising proper oversight.

Linda Lipscomb said she had come to praise IGM/COP Hart. She said that, of 417 cities with 5,000 people or more, a recent study had found Kensington to be the fifth safest community in the state. She said she wanted to thank both the old and new guard and, in particular IGM/COP Hart for this. She said she was very sorry IGM/COP Hart would be leaving – he had been a calming and measured hand for the community. She said the Board and IGM/COP Hart had contributed immeasurably to the safety of the community and said she would like to see this continued. She added that the officers, who were the “boots on the ground,” kept the community safe. She thanked IGM/COP Hart and said she that she was glad the community was doing so well and that she would miss IGM/COP Hart.

David Bergen questioned the comment that Kensington was the fifth safest city in California. He said that Kensington wasn't a city and that he had done a search on the internet and had found one other site that had found Kensington to be the thirteenth safest community in the state. He said he hadn't found one other site that had mentioned Kensington. He said the site that had found Kensington to be the fifth safest was a financial site that dealt in rentals back east. He said one could make statistics say anything you wanted them to, depending on how one asked the questions. He said he was sure Kensington was a safe community, but he didn't think it was the fifth safest in the state because one would have to compare Kensington to other locations like it, and there were very few others like it.

Karl Kruger said he was sorry that IGM/COP Hart was leaving and thanked him for what he had done. He said he wanted to talk about a letter, written by Jim Watt, which had appeared in the October Outlook. He said he was surprised by how someone could inflate – how some one could make three points, and every one of them was wrong. He said one point had been that the District spent \$2.7 million to compensate ten officers. He said that the June 2016 statement – with the amounts added up – showed that total compensation averaged \$167,411 per officer. He said this amount included the IGM/COP's compensation, officers' salaries, compensated time cash-outs, overtime, uniform allowances, medical insurance, disability insurance, life insurance, PERS, and workers' compensation. He said it was very convenient to inflate numbers just before the election. He said he didn't think there was anyone in the room who hadn't made up his/her mind on how they would vote, but he said he found it incredible that Mr. Watt would have done this. He said Mr. Watt had objected to the MOU for the officers, in which the officers had received a 3% increase and had given back 3%: It was a revenue-neutral agreement. Mr. Kruger said that Mr. Watt had objected to this MOU on three separate occasions at the Finance Committee meeting and then at a Board meeting. He said that, last June, he and Mr. Watt had attended a Fire District Board meeting at which time that Board had given a 3% increase to El Cerrito. Mr. Kruger said Kensington was already paying 2.7% as much as El Cerrito. He said that the Fire Board had taken about two minutes to discuss this item and that, of this time, he, Mr. Kruger, had spent about one-and-a-half minutes objecting to the increase but that Mr. Watt had said nothing: Mr. Watt hadn't seen anything wrong with that increase. Mr. Kruger said Mr. Watt had been talking about our department being on the upper end of cost. He said people should look at the Ad Hoc Committee report, which says the police department is exactly in the middle. He said he thought Mr. Watt had mixed up the fire department – because the Kensington Fire Department was the highest one in there. Mr. Kruger also said that Mr. Watt had stated that the IGM/COP made all the decisions on expenditures. Mr. Kruger said he had been serving on the Finance Committee for five years. He explained that proposed expenditures came to the Finance Committee and then to the Board. He said the Board approved the budget, not the IGM/COP. Mr. Kruger said he was very disappointed that Mr. Watt would use this time to make three incorrect statements in the Outlook.

John Gaccione asked where the District stood. He said that the IGM/COP had submitted his resignation and would be gone by the end of the month. He asked if an exit interview would be conducted and if so would the results be made public or if they would not be disclosed, as had been the case for previous employees. He asked if the community could put its trust in the KPPCSD majority to manage the transition to fill or restructure the vacant position. He said that, because of forethought on the parts of Vice President Sherris-Watt and Director Cordova, there were succession plan options. He noted there also was information from the Ad Hoc Committee addressing the separation of the GM/COP position.

He said that the position had been combined for over 60 years and that the combined position had outlived its usefulness. He said that, instead of saving the community money, it was probably costing it money. He said that, in prior elections, the Board majority had been less than forthcoming with problematic District news. He said some claimed that the Board had known about the Reno scandal as it had been occurring but chose to withhold the information from the community. He said it had been a local newspaper reporter who had broken the story and had made the information public. He noted that the Board had not made the information public before the election. He asked if anyone had seen the Reno internal investigation report yet. He asked how the District would maintain transparency and accountability and how the community would go about regaining trust in the police departments and ensure the financial viability of the District without resorting to what amounted to a hostile takeover of the Kensington Fire Department. He said he hoped the District would put its house in order and put the community first.

Ron Wiselman said he objected to the public comments about the Proposition 55 and Measure T. He said he thought it was partisan and set a poor example. He said he thought it was all right for someone to leave a pamphlet.

Skye Dent said she was opposed to Proposition 55 because she didn't think the money was distributed equitably. She said she had found the police department to be fair and objective and to have responded well to her concerns. She said she liked what the police department was doing and so did everyone she knew. She said that the last time she had said something good about the police department, someone had stepped up and called it propaganda. She said the next time that person did this, that person would know the meaning of slander or libel.

Lori Trevino said she wanted to address the CalPERS audit. She said she understood from previous comments that the Board had not received a copy of the report. She asked:

- When the Board did know about the audit.
- Which Board members knew about it and when.
- Who authorized the appeal of the findings. She noted that these were policy decisions that should be made by the Board.
- Has CalPERS made any final determinations on the appeals.
- Has the Board been notified of these.
- What are the cost implications of the findings.

She said these questions needed to be considered before the Board moved forward with hiring a GM and/or a COP.

Gretchen Gillfillan said that she had lived in Kensington for 58 years and that she wanted to tell IGM/COP Hart she would miss him. She said she had found him to be fair, a good listener, and very thorough with his reports. She said that she was pleased with the Ad Hoc Committee's report and that so much time and effort had been put into it for the community. She said that, if the community had had to hire someone to do that work, it would not have been affordable. She said she was grateful the community had that report, and she thanked David Spath.

BOARD COMMENTS

President Welsh said that he wanted to extend his heartfelt appreciation and thanks to IGM/COP Hart for his service and that he had done a wonderful job. He said there weren't a lot of people who understood how hard it was to run Kensington, day in and day out, and the different issues that crossed IGM/COP Hart's desk every day. He said the community didn't run itself: There were all kinds of problems that occurred, a large number of phone calls, and many visits with citizens. He said he wanted to thank IGM/COP Hart for his professionalism. He said that IGM/COP Hart had done a lot to professionalize Kensington's police force, and the way in which the office was run. He noted that IGM/COP Hart had just hired a consultant to assist with the property room and related matters and to bring the police department up to state-of-the-art. President Welsh said there had been progress made

on the way firearms were managed and reiterated that IGM/COP Hart had done a lot of things. He noted it was tough to make changes with officers because, by nature, they had to be tough to do their job. He thanked IGM/COP Hart and said Kensington had had a fantastic deal in having him come to the District and putting his heart and soul into the work. IGM/COP Hart received a round of applause.

Director Gillette said she wanted to echo President Welsh's comments. She said it had been the best of times and the worst of times when IGM/COP Hart had come to Kensington. She said it had been the worst of times because the community had been in disarray, with a lot of accusations being made, a lot of difficult situations with which to deal, and a lot of mistrust and misunderstanding about what had occurred with the Reno matter. She said that there had been a misunderstanding of the facts and of the law and that members of the Board had made some mistakes. She said it had been the best of times because it had been an opportunity for someone to try to change this dynamic. She said she was grateful that IGM/COP Hart had come in with a "can-do" attitude and a willingness to reach out to all parts of the community and to bring them together. She said she remembered the barbeque he and his wife had sponsored for the community and the Thanksgiving event he had organized. She said he had done as much as any human being could to try to mend the deep fissures in the community. She said that, with respect to the police department, he had brought a level of professionalism that had been needed. She said that, as a member of the Board, she greatly appreciated what IGM/COP Hart had done and that she was sad he was moving on. Director Gillette said there had been something on Next Door, saying that IGM/COP Hart had been fired. She said she wanted to make it clear that he had not been fired: This had been IGM/COP Hart's decision to resign. She said the community owed IGM/COP Hart a deep debt of gratitude, and she thanked him for all he had done for a community she loved. She said she hoped members of the community could learn from IGM/COP Hart and say that it was time to put aside the divisiveness, to stop talking about the Board majority and the Board minority, to stop telling untrue stories, and to stop making accusations not based in fact. She said she would have more to say about what it's been like to serve on the Board at the next meeting. She said that IGM/COP Hart had come into the community and had done a lot of good and that the community should thank him for trying to bring Kensington back to the core values that made it a wonderful place to live. IGM/COP Hart received a round of applause.

Director Toombs said IGM/COP Hart had done a terrific job, had brought a breath of fresh air, had been fair and judicious, had run the force objectively, and had had a firm hand on the tiller. He said all would miss IGM/COP Hart and his service. He reiterated that IGM/COP Hart was leaving for his own reasons: No one pushed him. He said that IGM/COP Hart had been a pleasure to work with and that anyone had been able to go in and visit with him whenever they had wanted, which was a good element of community policing. He said IGM/COP Hart would be a tough act to follow and wished him luck in his future.

Vice President Sherris-Watt said she had not be able to slow IGM/COP Hart down. She said she had tried to pull back projects and to get IGM/COP Hart to do less; but he had refused at every turn. She noted that the community had a new sound system and many other things because of IGM/COP Hart. She said he had come to every meeting she had had, which she appreciated. She thanked him for the information he had provided to her as a new Board member. IGM/COP Hart received another round of applause.

Vice President Sherris-Watt reported that the Park Buildings Committee had met on October 5th. She said the Committee had heard from the five architects that had submitted proposals for the RFP, and they had been wonderful. She said that all the teams had a connection to a Kensington resident and that they had been enthusiastic about bringing the Community Center into the 21st century and making it safe. She announced that there would not be an October 17th meeting of the Committee – it was being delayed because there were more pressing matters for the Board. She said she would let everyone know when the next presentation would occur.

Vice President Sherris-Watt reported that, on October 7th, she had attended the State of Our Schools breakfast for the West Contra Costa School District. She said that it had been a good event and that the new Superintendent, Matthew Duffy, was very affirming about the state of the schools.

Vice President Sherris-Watt reported that she had just returned from the California Special Districts Association Conference. She said she had a lot of information to share but hadn't been able to bring it together yet. She reported that she had attended sessions about on-boarding new members, strategies for collaboration, district re-organization, and navigating a CalPERS audit. She said she would be sharing this information over the coming weeks.

STAFF COMMENTS

IGM/COP Hart reported that the prescription drug take-back day would occur, in conjunction with the fire department, on October 22nd, from 10:00 A.M. until 2:00 P.M. He reported that the Kensington Parade would be held on October 23rd, from 12:00 until 3:00 P.M. He also reported that by 2017 he would have spent 40 years in law enforcement. He said it was time to go on to do something else: he had four grandchildren and wanted to do something different. He said that he was absolutely not being fired and that most of the Board members were disappointed he was leaving. He said Kensington was a fantastic community with wonderful residents. He said that there was more work to be done in the police department and the community but that the "ship had been set right." He said that he had updated policies and noted that the community was a passionate one and that good questions were being asked. He said that it had been a great year-and-a-half, that he felt invested in the community, and that he would be watching to see what the Board chooses to do. He commended Advanced Systems Group for the new audio-visual system. He said he would assist in any transition and would stay as long as was needed – until the Board made a decision about his replacement. He thanked community members who had sent emails and well wishes. He received another round of applause.

District Administrator Wolter thanked IGM/COP Hart. She said it had been a pleasure to work with him, and he was a consummate professional. She said he had pushed all staff members to produce more for the community's benefit. She also thanked IGM/COP Hart for the work he had done in the park – the trees that were trimmed and the added benches and barbecues – all for the community's benefit. She noted that IGM/COP Hart had envisioned the new sound system from just about the first time he had attended at District meeting and that he had persevered with project, just as he had done with every project, to ensure that every detail was perfect and that all the pieces were in place before moving forward. She noted that all this had been done with the Board's approval. She said that IGM/COP Hart had worked hard to keep the Board apprised and that whenever people telephoned the office he had made time to take those calls unless he had been truly otherwise occupied. She said the community had been fortunate to have had IGM/COP Hart at the helm for the past year-and-a-half and thanked IGM/COP Hart. This was followed by another round of applause.

CONSENT CALENDAR

President Welsh asked if anyone wanted to pull something from the Consent Calendar.

Director Toombs asked to pull items a, e, and g.

A. Stevens Delk asked the Board to pull items a and b.

Director Toombs said that, with respect to item a, there were two things he wanted to note, with which he was still frustrated. He said that, on page 7, the minutes stated that the Board was still looking for a detailed analysis of the legal fees. He said he wanted to see this soon so the community could see how its money had been spent.

Director Toombs noted that, on page 14, he had asked a question about Nicolay, which would be the District's new health plan actuary: Would the District re-start the clock with the new actuarial report, or would the new report be a stop-gap – with a new report needing to be done two years from the date of the last report. IGM/COP Hart responded that Nicolay had provided an answer: "It depends." He added that the actuary would need to get into the work to determine the answer and that Nicolay would be "taking a snapshot" from the last actuarial report and updating it. IGM/COP Hart noted that the

purpose of the upcoming Nicolay report would be to determine if the District was contributing enough to its OPEB Trust.

With respect to page 9 of the minutes, Director Toombs asked if the franchise fee paid to the County was an expense or an offset to revenue and if Deborah Russell, CPA, had had a chance to speak with the District's auditor about this yet. President Welsh said he wanted to ensure this was done in the most appropriate way, from an accounting standpoint. He noted that it was understood that a certain amount of the franchise fee was to go to the County and a certain amount was to come to the District: 3% to the County and 4% to the District.

A. Stevens Delk noted an error in the footer date of the minutes. With respect to item b, she said that, at the prior month's meeting, about \$35,500 of the Bay View franchise fee had vanished from the franchise fee revenue for FY 2015-16. She said she had been told that this had gone to the County as its 3% fee. She said she thought this should be a line 890 expense rather than a reduction to line 448 revenue. She said that, in the current report, a slightly different amount of \$35,600 had been subtracted from line 448 revenue in September, with the notation that the negative entry reflected the 2015-16 payment to the County. She asked if this had been the actual amount of the fee and if this payment had been in addition to the amount shown in the prior month's report – had a \$71,000 payment been made. District Administrator Wolter responded that the District's CPA, Deborah Russell, had made an adjustment, as a sort of place-saver, as a close approximation of the amount due to the County and that Deborah Russell subsequently had calculated exactly what was due to the County: Then the adjustment had been reversed and the actual entry had been made for the check issued to the County. Dr. Delk asked for confirmation that there had not been two checks issued to the County. District Administrator Wolter responded that two checks had not been issued. A copy of Ms. Delk's comments is included in the November 10, 2016 Board Packet, under correspondence.

Dr. Delk asked IGM/COP Hart if there was a new contract with the County and, if so, what the new franchise fee would be. President Welsh responded that there had just been a meeting with the County, that the County was proposing to update the current MOU to modernize the language, and that the fee would not change. He said he would like to complete this within the next couple of months.

Director Toombs addressed item b. He said there were some statistics about traffic safety he wanted to note. He said he wanted to compliment Master Sergeant Hull on his 35 traffic stops, for which he had issued 30 moving citations. He said the community owed this officer a debt of gratitude for making people obey the traffic laws and for making the community safer. He noted that Officer Foley had made 43 traffic stops, with 6 moving citations. Director Toombs said he was glad to see the officers were doing their job. He also noted that Master Sergeant Hull had written a very nice letter to IGM/COP Hart about his departure and said he wanted to commend Master Sergeant Hull for writing such an effusive letter.

Director Toombs said he wanted to address some of the correspondence included in the Board Packet. He said that Mabry Benson had written about the Brown Taylor report and that he, Director Toombs, had told people to look at it. He said that he had gone back and looked at the report and that, what was interesting was, Ms. Benson, Jim Watt, and others had cited this report as the authority for the notion that the GM part of the GM/COP job was 35%, and the COP part was 65%. He said the report had addressed what had been in effect before 2007: It didn't address the current allocation. He noted that Brown Taylor's report had been part of an organizational review. He said that, to close the matter out, the District should look at the job description and come up with an allocation.

MOTION: Director Toombs moved, and President Welsh seconded, to adopt the Consent Calendar.

Motion passed: 4 – 0.

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

OLD BUSINESS

- 7a. The Board received a briefing by Peter Liddell, who provided a short presentation on the vegetation cleanup accomplishments of the Park Grounds Committee.

President Welsh announced that Peter Liddell would be making a presentation about the Park Grounds Committee's work that had been underway for the past two years. President Welsh reported that this project had begun to get a handle on the vegetation in the park and to reduce potential fire hazards.

Vice President Sherris-Watt asked Mr. Liddell to identify the members of the Park Grounds Committee. Mr. Liddell responded that the core group had been President Welsh, IGM/COP Hart, Charli Danielson, Katie Gluck, Gretchen Gillfillan, and himself. He noted that others had participated from time to time: Rey Barraza, Dan O'Brien, Peter Conrad, Mabry Benson, and Lisa Caronna.

Mr. Liddell showed a series of before-and-after photos to showcase the improvements that had been made and the hazards that had been removed from the area around the Community Center as well as elsewhere in the park. He thanked everyone who had helped, especially President Welsh and IGM/COP Hart as well as Dan O'Brien and Charli Danielson who had initiated the effort. He noted that the number of hours spent by volunteers had qualified as in-kind donations that enabled the community to receive grants from Diablo Fire Safe. Mr. Liddell thanked Bay View Refuse, Ciara Wood, Diablo Fire Safe, and IGM/COP Hart. He also thanked the Arlington Community Church for allowing a dumpster to be parked on its part of the parking lot. He said the budget for the work had been zero, and the sweat equity invested had earned \$10,000 in grant money, which had been used for tree pruning and removal. He noted that IGM/COP Hart had written and submitted the grant proposals.

Mr. Liddell received a round of applause

President Welsh thanked Charli Danielson for her excellent lessons on vegetation management. Ms. Danielson also received a round of applause.

- 7b. The Board discussed and considered taking action on the recruitment and selection process of a new General Manager/Chief of Police. As part of the discussion, Director Cordova was to lead a discussion of the Board about the previously discussed "Authorization for Success Planning for Interim GM/COP Position."

President Welsh introduced the item and said this would be an update on where the Board was in finding a replacement for IGM/COP Hart. He said Director Cordova had asked to have, as part of this discussion, a description and consideration of the "Authorization for Succession Planning for the Interim GM/COP Position," which had been developed by Vice President Sherris-Watt and Director Cordova. He asked if Vice President Sherris-Watt wanted to speak about this, given Director Cordova's absence. Vice President Sherris-Watt read that Director Cordova had returned the item to the dais "to provide the public an opportunity to hear and comment on the board's plan to fill the imminent vacancy of the Interim GM/COP position." Vice President Sherris-Watt said that, when she and Director Cordova had written the document, they had been discussing ideas and considerations for moving the District forward. She noted that the document had been prepared in May 2016, when there had been discussions about moving into the next phases. She said it was hoped the Board could get a sense of what people were feeling.

President Welsh said that perhaps it would be good to talk about what the Board was doing in terms of coming up with a replacement – a person who was fully intended to be an interim replacement. He said the IGM/COP Hart would be leaving at the end of the month, and the Ad Hoc Committee had just finished its report, which addressed the pros and cons of maintaining the current set-up or going to a split position. He said the Board would need to have a discussion about where it would want to go next, given the Committee's findings. He said more time would be needed to find out where the community would want to go on a permanent basis. He reported that, in the meantime, there was a candidate who

had participated in the initial interviews from which the Board had selected IGM/COP Hart. He said the Board had been talking with Kevin Kyle, who appeared interested in entering into an interim contract. He said it was hoped that Mr. Kyle would come in as a retiree annuitant, which meant he would be receiving the kind of salary he had been receiving before he had retired, but there would be no pension or healthcare liability: It would be an hourly wage. He said retired annuitants could work for up to nine months per fiscal year, based on an eight-hour day. He said that it was hoped the Board could hire Mr. Kyle as of November 1st and that he would stay as long as nine months within the current fiscal year. He noted that the Board could terminate Mr. Kyle if, at any point, it wanted to move in a different direction. Director Gillette said she wanted to clarify that the District would post the job because it would be looking for a permanent replacement, assuming the current structure would remain in place. President Welsh said the position would be opened up to other candidates, if any were interested. He said the District would be advertising for the position on the website and in a local newspaper. President Welsh said that Mr. Kyle was a candidate about whom the Board knew and that, perhaps, there would be other candidates: it would be an active recruitment for someone new to fill the position. Vice President Sherris-Watt said she wanted to clarify that the limitation was 960 hours per fiscal year. She said the Board was still addressing some concerns with legal counsel.

Frank Lossy asked for information about Kevin Kyle. Director Toombs responded that he had been among the candidates when IGM/COP Hart had been hired. President Welsh noted that Mr. Kyle's resume had been published during the last recruitment. Director Gillette said Mr. Kyle had been the Assistant Chief in Santa Clara County for many years. She reported that he had become the interim job of Chief of Police for Santa Clara County for about two years, when the Chief had retired unexpectedly and that he had had experience doing all the things the District needed: Building renovation, managing large staffs, doing discipline, preparing budgets – all the kinds of experience one would expect of someone working at a large agency to have had. She said that Mr. Kyle is a delightful man, extremely kind, and professional and that he would continue IGM/COP Hart's good work.

Linda Lipscomb asked if the District would have an interim arrangement with Mr. Kyle and if he would be the IGM/COP. President Welsh responded in the affirmative. She asked if he could be an applicant for the permanent position. Director Gillette responded that she wasn't sure he could do so because of his status as a retired annuitant. Vice President Sherris-Watt responded that he could not do so: Retired annuitants could have one contract, with time limits of 960 hours per fiscal year, that could cover two fiscal years. She clarified that there could not be one contract for the first fiscal year and then another one for the second fiscal year. President Welsh added that a retired annuitant could work for 960 hours this fiscal year and another 960 hours in the next fiscal year. He noted that, if after two months, the Board determined if it wanted a different arrangement, it could let him go. Director Gillette added that the Mr. Kyle could not be paid more than the hourly rate being paid to the current IGM/COP and that Mr. Kyle, as a retired annuitant, would not receive benefits. Ms. Lipscomb recommended hiring Mr. Kyle.

Vice President Sherris-Watt said she favored bifurcation. She said that, after seeing the level and the amount of work that went into the job – seeing how much work IGM/COP Hart had done – and after reviewing the Ad Hoc Committee's work, she didn't think the District held the capability of encompassing one person. Thus, she said she favored bifurcating the position, but she said she had questions for the attorneys about how that process would work and how it would be accomplished legally. She said the Board was working to ensure it was following the letter of the law, with respect to posting the job and giving notice to the community.

President Welsh noted that the bifurcation issue was on the table for discussion there were different ways to go about it. He said one option would be a part-time General Manager and a full-time Chief, part-time for both, or full-time for both. But, he said this would have a price tag associated with it. He said bifurcation should be seriously considered, but community input would be needed. He noted that this likely could not take place for several months, thus action needed to be taken now to ensure a smooth continuing operation.

Director Gillette said that, contrary to public opinion and since she had come on the Board, she had questioned why the District hadn't had the General Manager and Chief of Police divided. She said she continued to believe this was the structure the District should have. But, she said, to rush into that decision right now – to take a chance of undoing the good work that had been done by IGM/COP Hart in reforming things that had gone astray under the former Chief – it was in the community's best interest, for a short period of time, to figure out how the District would fund it and structure it, what the responsibilities would be, what the division of labor would be, and where the offices would be. She said that the people who said the District should rush into making this decision in the next two weeks – this would be irresponsible. She said a reasoned choice and a smooth transition were needed in order not to lose the good work that had been done to turn around the police department and the community.

Celia Concus said she didn't think she was being irresponsible in saying that, because this was an interim time, it might be an opportunity to try something and gain a new perspective. She said her suggestion was to try having a separate General Manager with the skills to manage from a business perspective and someone to act as the Chief of Police. She said that, by law, the District was required to have a GM. She said she commended the Board for having raised the issue of separating and having a hierarchical structure so that things didn't come to the COP, who then would put on a different hat, and act as the GM. She said the Board couldn't have the same person in these two roles: It didn't work and this had been seen repeatedly. She said to Director Toombs that, if this seemed to have been the way the District had operated for sixty years, maybe it was time to look at what community and police work had been like 60 years ago. Director Toombs responded that the fact of the matter was that this was a question of cost. He said that, if the community could afford it, that would be terrific: He would love to have the job split in two. He said that the District didn't know what this would cost or who would do those jobs, and that, until the District did know this, he was in favor of an interim arrangement so the District could move into that transition intelligently. Director Toombs said he was interested in being flexible in moving toward the future. Director Gillette said she wanted to clarify that Kevin Kyle had the kind of background and experience to fill this role quite adeptly and that it would be terrific if the District could get him.

Mabry Benson said she thought the Board was putting the cart before the horse. She asked the Board why it had been interviewing a candidate when the subject of what to do hadn't been discussed in public: This should have been done. She said she thought the Board was going to ignore the continuity plan that had been presented by Vice President Sherris-Watt and Director Cordova last May. She said she was glad that the replacement being considered was a temporary one, though she thought the Board should consider a part-time GM. She said this was an opportunity to have a public hearing solely on the topic of bifurcation. President Welsh responded that, with all due respect, the Board had just received the Ad Hoc Committee's report. He said the next step would be to get input from the public. She responded that she had been pushing for a public meeting since before the Ad Hoc Committee. President Welsh responded that there needed to be information to provide to the community before such a meeting could be held, and the Board had that now.

Leonard Schwartzburd said he would have to agree with Director Gillette and President Welsh, with respect to how to approach this: It would be a mistake to rush into an experimental model before making a real decision. He said he had no problem with hiring an interim GM/COP, though he thought it was a poor model. He said Director Toombs had raised the issue of whether the District could afford the two positions. He asked whether it could be afforded not to. He said that, because things had been structured the way they had been had resulted in incredible costs – legal costs and all kinds of costs. He said he didn't think the District could afford to continue on the path it had been on. Director Toombs responded that the District had an opportunity to draw a brand new slate on how the whole community is governed. He said that, when the Board had put together the Ad Hoc Committee, the notion – as Director Cordova had said – was that there were no sacred cows: Everything regarding Kensington governance should be on the table for everyone to look at. He added that this was where the community was now. He said he agreed with President Welsh: The next step should be to tell the public, in a series of meetings, what the options are and asking in what kind of community residents want to live and what kind of governance structure residents want. He said he had been arguing for two or three years about town hall meetings on where the community wanted to go. He said Dr. Schwartzburd had

complimented him for doing this and had offered to help. Dr. Schwartzburd said that he was still willing to help and that he agreed with the approach of taking enough time to engage in an orderly process and to restructure what's going to be restructured. He added that he didn't think continuing to combine the two positions would be an economy measure: It would be just the opposite.

Marilyn Stollon said the community was faced with deciding whether it wanted another COP whom also did GM work or whether it wanted to act on the findings of the Ad Hoc Committee, which stated that separating the GM/COP position would be the preferred structure. She suggested seeking an interim GM through Public Law Group and having Master Sergeant Hull act as interim COP. She read a passage from the ICMA brochure that cited the benefits of having a professional city manager. She encouraged the Board to take steps to employ a truly professional GM. A copy of Ms. Stollon's comments is included in the November 10, 2016 Board Packet, under correspondence.

Leonard Schwartzburd asked if the position needed to be advertised and what steps were being taken. President Welsh responded that the advertisement had already posted and that, if somebody applied, the Board would consider them, based on their qualifications – just as the Board had done with candidates in the past.

Ron Wiselman asked, if the Board needed to start interviewing and found someone they liked, would that person assume the position of GM/COP. President Welsh responded that the person would become the Interim GM/COP, until the Board figured out how it wanted to restructure the position. Mr. Wiselman asked if this was an opportunity to hire someone for 32 hours a week and then give the balance of the salary to Master Sergeant Hull in order to try out the system. President Welsh responded that he didn't want to experiment with the town of Kensington. He added that, if there were to be change, he would want to have a community process, where the community would get to review the incredible work the Ad Hoc Committee had done in order to get information. President Welsh said this would be a big move. Mr. Wiselman said there was an opportunity to straighten out the whole GM/COP thing and asked if it would cost the community anything to have Master Sergeant Hull work on that. President Welsh responded that it was the sense of the Board that it had a great process with the Ad Hoc Committee, and it didn't want to make changes until there had been greater participation of the community in making this decision. Therefore, he said, the Board would be holding things as they had been to ensure that no balls got dropped. President Welsh said that no opportunity was being lost – the Board could make a change in the future. Mr. Wiselman said it felt as though the Board was pushing through the old agenda again.

John Gaccione said he was happy to hear from Director Toombs that there were going to be no sacred cows. And with respect to experimenting in Kensington, he said the Board had been experimenting because it couldn't separate the GM and COP. Thus, he said, every time someone came in, it was an experiment because the Board didn't have a percentage established for each part of the job – each person determined his/her own allocation. He said the Board's track record for picking people had been spotty. He said former GM/COP Harman had come to mind because of all the criticism being cited about how he hadn't been doing his job. He said the community had paid former GM/COP Harman good money and was still paying him good money and asked where the Board was going.

David Spath said that, having spent a year going through the research on this particular issue, he commended the Board for taking a thoughtful approach and bringing on another interim GM/COP. He said he agreed with Leonard Schwartzburd and Mabry Benson; that the Board needed to listen to the public and had to go out and present the different options – hold public hearings on this and then make a final decision. He said the Board also needed to look at different opportunities. He said that the Board was looking at a retired annuitant and that it was possible to write a contract for a retiree and not have it as a retired annuitant. He said that the Ad Hoc Committee had had conversations with CalPERS about this as part of its research and that it might be possible to do this for a Chief of Police and for a General Manager. He said that there were all sorts of options and that they needed to be thought through very carefully. He said that, in the interim, the Board was doing the right thing by getting a short-term interim GM/COP, until a final decision could be made.

Vice President Sherris-Watt said she appreciated everyone's input. She said she didn't think the Board would be taking any action: This had been about listening. She said she looked forward to public input, but she was committed to bifurcating the position.

Director Gillette said that she wanted to supplement what Vice President Sherris-Watt had just said – that, contrary to public opinion, she and Vice President Sherris-Watt had worked together to get the interviewees here. She said that the Board majority and the Board minority had worked together and that Vice President Sherris-Watt and she had worked together to do everything they could to make a smooth transition. She said it had happened on several occasions during the Board's tenure that Board majority and the Board minority had worked together. She thanked Vice President Sherris-Watt for being part of that process and for being on top of those things needed for a quick transition period.

Marilyn Stollon said the Board had interviewed for the combined position and asked if the Board had spoken with the Public Law Group's consulting arm to get some input from them on their experience in providing a part-time GM to other communities. She said she had read reports from interim GMs who had looked at the same issues Kensington was considering. Director Toombs responded that he wanted to make it clear: The Board was looking at bringing on someone in an interim position so it could have the very dialog Ms. Stollon had just suggested, further down the road. He added that the Board needed someone October 31st: It couldn't wait. He said that everything the Board was doing – and he thought there was consensus on this – was to bring on an interim person so thoughtful discussion could follow. He said this actually was an action item: To proceed with the framework for hiring an interim person.

Vice President Sherris-Watt responded to Ms. Stollon and said she had spoken with John Holtzman of PLG when she had first opposed the extension of IGM/COP Hart's contract, on the basis of the workload. She said she wouldn't have opposed the extension had she not had a plan: Her plan had been to bring in a supplemental GM who would come in and provide work. She added that, at this time, the Board was discussing different issues with different legal issues and said she still had legal questions.

Director Toombs said Board approval was needed to move forward with the process of hiring an interim GM/COP.

Frank Lossy said he had been a resident for about 50 years. He said he was pleased by the discussion and to hear that many of the Board members were favorably inclined to split the position, which he said would be a wiser arrangement than the one in place for many decades. He said he had been favorably impressed by Ms. Stollon's comments. He asked how flexible the person being considered for the position might be: Was he interested only in the combined position, or would he consider one position or the other? He said that he was concerned about the interim post being combined and that he wanted to keep open the option to split the position, for both the near term and for the future.

Vice President Sherris-Watt responded that one of the things she had discussed with the attorney was that, if bifurcation was not possible given the current rush, she did want to explore with the District's attorney whether it would be possible to have a contractual obligation that had a "set of dials on it." She said she wanted to know if the District could "dial" someone into more General Manager time and less Chief of Police time. Dr. Lossy responded that his understanding was that there was no fixed time and that it had to be temporary in this first step. Vice President Sherris-Watt responded that she wondered if the "dial" could be turned to zero on one side and that this was a question she hadn't gotten a confirmation on that yet. Thus, she said she didn't want to suggest it as a possibility completely.

Director Toombs noted there was one thing to keep in mind: This person would not be "persable" and thus would not be dependent on the allocation of hours towards the GM or COP for his pension. President Welsh clarified that there would be no healthcare or pension liability with hiring a retired annuitant. Dr. Lossy responded that he understood this, but it still didn't address how much time the person would be spending on each part of the job. Director Toombs said there was a job description that set forth the duties of the GM/COP. He noted that this was in the Policy and Procedures Manual and had been adopted at about the same time as the Brown Taylor report. Director Toombs reiterated

that this would be an interim hire while the Board determined what the community's wishes were going forward.

Celia Concus said she had seen that this was an action item, but this was the first time this had been discussed. She asked if it wasn't the policy to have a discussion and then vote on something the next time. Director Gillette responded in the negative.

MOTION: Director Gillette moved, and President Welsh seconded, that the Board proceed with pursuing the appointment of an interim General Manager/Chief of Police as expeditiously as possible.

Motion passed: 4 – 0. (had read 4 – 1)

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

President Welsh announced that it was almost 9:45 P.M., the time at which the Board needed to vote whether to extend the meeting past 10:00 P.M. to complete the District's business. Director Sherris-Watt said she would vote against going beyond 10:00 P.M.

MOTION: President Welsh moved, and Director Gillette seconded, that the Board extend the meeting beyond 10:00 P.M.

Motion failed: 3 – 1.

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

NEW BUSINESS

- 8a. The Board reviewed, discussed, and considered voting to amend Policy 1010.20 from requiring a 4/5 vote of the Board to change Board Policy to a simple majority needed to change the Board of Director's Policy and Procedures Manual.

President Welsh explained that this had arisen out of a situation in which one Board, in one era, had passed a rule that bound future Boards and that this was not lawful. He said under the District's structure, only a majority vote was required to change something like a policy manual: That's what the law says. He said that the legal opinion, which the Board had voted to make public at its last meeting said that the current Board was not bound by the requirements set by a prior Board. Thus, he said the question was whether the Board should take a vote to change the current rule, which said it would take a 4/5 vote of the Board to change any provision in the Policy and Procedures Manual. He said the change would be to make it a majority vote. He said that, in past episodes in the District's politics, meetings had been shut down because of the policy that indicated a disproportionate majority. He said the motivation for making the change was so that the Board could proceed with necessary Board business. He said that, if another Board wanted to do things differently in the future, it could.

Director Toombs said that, currently, Policy 1010.20 said that a change to the Policy Manual required a 4/5 vote. He noted that the legal opinion said that was not binding and that the Board had the power to decide, by simple majority, to amend the manual. He said he favored amending the manual. He explained that this was a first reading because a change to the manual would require two readings.

Vice President Sherris-Watt said she was mindful of the times that Board business had become bogged down due to the requirement of a 4/5 vote, but she also believed that, when there was a simple majority, this was only 60%. She said that, while she recognized it was a slightly onerous policy, it required a "movement towards our best selves" and required that the Board build consensus, which she said had been a major obstacle of the Board in the past. Thus, she said she opposed this, but she understood she could be outvoted and understood PLG's opinion.

Director Gillette said she wanted to speak to that issue. She said it was something that had been bothering her and, since she was on her way out, she could speak freely. She said that, from the time the Board had changed two years earlier, there had been a constant discussion about the majority versus the other two members. She said that, what no one had talked about was that the other two members of the Board had come to every meeting with a pre-planned approach to what they were going to do. She said there had been no consensus building, no effort at collaboration for the most part – there was simply an insistence that there would be a three-two vote. She said that was detrimental to the community. She said she didn't feel as though she had to vote with President Welsh and Director Toombs on anything. She said she would like to have credit for being an independent woman who made up her own mind on how to vote. She said it was insulting to her, as a member of the Board, to have people constantly telling her that she had been taking direction from two other people on the Board, when it simply was not true. She addressed Marilyn Stollon and said that the fact that she sat there and laughed at something like this was indicative of the bad behavior that she exhibited in the Board's meetings. Vice President Sherris-Watt said that Ms. Stollon's laughter had resulted for the gestures of another member of the audience. Director Gillette continued by saying that she wished Vice President Sherris-Watt would "walk the walk and talk the talk" and said she wished there would be consensus building and collaboration, rather than referring to the Board majority and the other two members. Director Gillette said she invited people to look at how the votes had occurred and how people had expressed their opinions. She said she could predict, on every issue, that Vice President Sherris-Watt and Director Cordova would vote one way – together. Always. She said this was as despicable as what some had accused the others of doing. She concluded by saying that maybe that wasn't true and that perhaps she was falsely accusing them because others had falsely accused her.

A. Stevens Delk said that the Policy Manual stated that the Board didn't conduct its meetings under formalized rules – Robert's Rules. Thus, she said any argument the Board made regarding parliamentary procedure was useless. She said Robert's Rules should be followed with respect to a 2/3 affirmative vote to adopt or amend bylaws and referred to "Robert's Rules for Dummies." She noted that it was unclear to her how the Board could amend policies with a simple majority vote without first amending Policy 1010.20, which required a 4/5 vote to be changed. She said changing an established rule was serious business and so shouldn't be done if more than 1/3 objected. She said that Public Law Group's (PLG) opinion was that Policy 1010.20 wasn't legal. But, she said Board members had known about this policy when they took their positions. She said that another problem with the PLG opinion was that it said "a simple majority" was all that would be required, and she questioned whether this meant two affirmative votes would prevail if the quorum of only three was present. She also asked how much the PLG opinion had cost. A copy of Dr. Delk's comments appears in the November 10, 2016 Board Packet, under correspondence.

Linda Lipscomb urged the Board to make the amendment. She said that, in the past, she had given the Board a letter regarding case law opinion, which appeared to hold that it would be illegal, exactly as PLG had found, to require a super-majority. She said, in respect of Vice President Sherris-Watt's statement about building consensus, she found it extraordinary that she had made an absolute pledge never to vote to go beyond 10:00 P.M. – regardless of the subject matter that was on the table; regardless of the number of items that were yet to be done; regardless of the precarious situation, such as the one in which the District was now with needing an interim GM/COP. She said she thought it was talking out of both sides of one's mouth to claim to be a consensus builder and to enter into those kinds of sub-rosa agreements.

Vice President Sherris-Watt responded that she was always willing to come to a meeting – she could come back the following night: The meeting could continue. She said she was not willing to drag the community on and on, past everyone's bedtime.

Celia Concus said that she had the book to which Dr. Delk had referred and that she was going to give it to the Board. She delivered it to the dais.

Mabry Benson said she found it interesting that the Board had gone along happily with the policies and procedures for years but that, when the votes started not going... President Welsh responded that the Policy Manual required a limitation of 20 minutes for any subject matter item. He said the Board had never observed this, and he had never heard one person complain. Thus, he asked her not to make blanket statements about the Board and its not following the manual. He said the Board had not adhered to that policy because it wanted to give people like her the chance to speak. Ms. Benson continued by saying that the Board had been happy with the Policy and Procedures Manual until the votes started to go against some members' way about extending the meetings. She said they then went out and paid for a legal opinion that provided a different opinion. President Welsh responded that the Board wanted to know what the law was and that this was what had been paid for. He noted that it was time to adjourn the meeting.

Director Toombs noted that this had concluded the first reading of this policy section.

MOTION: Director Gillette moved, and President Welsh seconded, to adjourn.

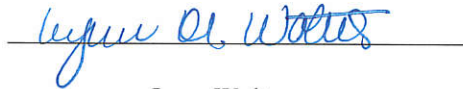
Motion passed: 3 – 1.

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

The meeting was adjourned at 10:02 P.M.



Len Welsh
KPPCSD Board President



Lynn Wolter
District Administrator