

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Regular Meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held Thursday, February 14, 2013, at 6:00 P.M., at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will enter into Closed Session-1- Conference with Legal Counsel- Existing Litigation (Subdivision 54956.9) Bay View Refuse and Recycling Services Inc. v. Kensington Police Protection and Community Services District; 2- Complaints or charges against General Manager/ Chief of Police (Subdivision 54957); 3- Workers Compensation Claim (Subdivision 54956.95) Claimant: Anita Gardyne; Agency: Kensington Police Protection and Community Services District; 4- Conference with Legal Counsel- Anticipated Litigation (Subdivision (c) of Section 54956.9) Conference with legal counsel to discuss potential initiation of litigation (one case); 5- Conference with Legal Counsel- Existing Litigation (Subdivision (a) of Section 54956.9) Leonard Schwartzburd v. Kensington Police Protection and Community Services District; and 6- Conference with Labor Negotiators (Section 54957.6): Agency Representatives: Patricia Gillette and Chuck Toombs; Employee Organization: Kensington Police Officers Association.

(In the event the Board needs to continue in Closed Session after 7 PM, they will do so following the end of the agenda/ meeting.)

Note: All proceedings of the open session meeting will be tape recorded and video taped.

Roll Call
Public Comments

CLOSED DOOR SESSION

1. Closed Session
Conference with Legal Counsel- Existing Litigation (Subdivision 54956.9) Bay View Refuse and Recycling Services Inc. v. Kensington Police Protection and Community Services District.
2. Closed Session
Complaints or charges against General Manager/ Chief of Police (Subdivision 54957).
3. Closed Session
Workers Compensation Claim (Subdivision 54956.95) Claimant: Anita Gardyne; Agency: Kensington Police Protection and Community Services District.
4. Closed Session
Conference with Legal Counsel- Anticipated Litigation (Subdivision (c) of Section 54956.9) Conference with legal counsel to discuss potential initiation of litigation (one case).
5. Closed Session
Conference with Legal Counsel- Existing Litigation (Subdivision (a) of Section 54956.9) Leonard Schwartzburd v. Kensington Police Protection and Community Services District.
6. Closed Session
Conference with Labor Negotiators (Section 54957.6): Agency Representatives: Patricia Gillette and Chuck Toombs; Employee Organization: Kensington Police Officers Association.

At approximately 7PM, the Board will return to Open Session and report on actions taken during the Closed Session.

Public Comments
Board Member/ Staff Comments

APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Regular Meeting January 10, 2013, Page 3
- b) Minutes of the Regular Meeting January 12, 2013, Page 8
- c) Minutes of the Regular Meeting January 30, 2013, Page 12
- d) Profit & Loss Budget Performance for November 2012, Page 16
- e) Park Revenue & Expenses Report for November 2012, Page 21
- f) Board Member Reports-None
- g) Correspondence- Page 30
- h) Police Department Update, Page 35

- i) Monthly Calendar, Page 48
- i) Recreation Report, Page 50
- k) General Manager's Report, Page

DISTRICT - NEW BUSINESS

1. President Tony Lloyd and Director Chuck Toombs will lead a discussion on the possibility of having a study session to develop a District strategic plan. Board Action.
2. In response to a proposal made by resident Dan O'Brien at the January 10th KPPCSD Board meeting regarding a community group to address management of vegetation in the park, President Lloyd and Dan O'Brien will lead the follow up discussion on the proposal. Board Action. Page 56
3. Vice President Patricia Gillette will lead the discussion on the creation of a quarterly "talk to a Board member" meeting to be held at a public location where one Board member would be available to give a quick report on issues on which the Board is working and would receive input from the community on issues of concern. Board Action.
4. President Lloyd will ask the Board for their possible interest in a nomination to the SDRMA Board of Directors. Board Action. Page 60

If needed the Board will return to Closed Session to continue the discussions on the listed closed session items above.

ADJOURNMENT

General Information

Accessible Public Meetings

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

General Manager/ Chief of Police Greg Harman, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707
POSTED: Public Safety Building-Colusa Food-Library-Arlington Kiosk- and at www.kensingtoncalifornia.org
Complete agenda packets are available at the Public Safety Building and the Library.

KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 1
BOARD OF DIRECTORS

Meeting Action Minutes for 1/10/2013

AGENDA

A Regular meeting of the Board of Directors (BOD) of the Kensington Police Protection and Community Services District (KPPCSD) was held Thursday, January 10, 2013, 7:00 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.
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ATTENDEES

<u>Elected Members</u>	<u>Public Speakers</u>	
Tony Lloyd, President	Deanna Collis	Madelyn Cronin berg
Patricia Gillette, Vice President	Leonard Swartzburd	David Lifer
Linda Lipscomb, Director	Dan O'Brien	Jeff Peralda
Charles Toombs, Director	Joan Gallegos	Gayle Kapscott
	Mabry Benson	Anthony Knight
	Charles Ramsey	
<u>Staff Members</u>		
Gregory E. Harman, General Manager/Chief of Police		
Master Sergeant Rickey Hull		
Sergeant Keith Barrow		
Sergeant Kevin Hui		

Board President Tony Lloyd called the meeting to order at approximately 7:00 PM and took a roll call of the Board members.

PUBLIC COMMENTS

Deanna Collis thanked Detective Stegman for providing the crime statistics and asked Master Sergeant Hull for the definition of a "closed" crime as it is used in the Crime Statistic Report. She also asked if the department is using the FBI's formula for "clearance rates".

(Master Sergeant Hull's response to Ms. Collis dated January 13th, is in the Correspondence Section of the February 14th KPPCSD Agenda packet)

Leonard Swartzburd read an e-mail he indicated that he sent on December 18, 2012 in which he made a public records request for the legal reasons why the Hemming-Morse audit of the credit card use was not being made public and made a complaint that there was a culture of intimidation towards the community in the police department.

He then questioned Director Lipscomb on the status of the reimbursement policy in the Policy Committee.

General Manager/ Chief of Police Greg Harman then responded to Leonard Swartzburd's comments about the Hemming-Morse Audit Report by stating the KPPCSD Board approved additional funding at the last meeting to have Hemming-Morse amend their report with information that was located and provided after their initial report was completed. He indicated that once the amended report was completed, it would be at that time that he would decide

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whether or not to waive his privacy rights as a public employee make the report a public document.

Vice President Gillette then commented that all public employees, not just police officers, have the right to privacy in matters regarding their personnel files.

Swartzburd the again asks why the Hemming-Morse report was not available. Harman responds that he had already answered that, again stating that once the report includes the amended information he would decide at that time whether or not to make the report a public document.

Dan O'Brien then gave the Board a prepared letter of proposal to initiate a community group to draft and implement a plan concerning the management of the vegetation in the undeveloped area of the park.

President Lloyd suggested O'Brien prepare a plan for Board consideration.

Director Lipscomb mentioned that we should get other entities involved and that we should have an Ad-Hoc Committee formed to address this issue.

Vice President Gillette asked if there were any other groups in this project and O'Brien indicated there were not.

President Lloyd stated that LAFCO has been dealing with a group working on fire hazard reduction and that the Park Committee assignment was coming up later in the agenda and that this could be discussed more at that time.

Joan Gallegos stated that the Contra Costa County CSDA meeting was scheduled for Monday, January 28th and that they were having a public employee pension discussion planned on their agenda. She asked if any board members were planning to attend. President Lloyd, Director Lipscomb, and GM/COP Harman all indicated that they were going to attend the meeting.

Mabry Benson stated that she did not think the General Manager and Chief of Police positions should be held by one person stating that they should be two separate positions.

BOARD COMMENTS

Director Toombs mentioned that on Saturday, January 12th, there was going to be a KPPCSD Board meeting in which the Financial Consultant hired by the District would be presenting the financing options for the Park Buildings Remodeling Project.

Vice President Gillette wished everyone a Happy New Year, stating she was looking forward to working with everyone the coming year.

Director Lipscomb stated that at the recent KIC meeting there were plans to have a clean up party for the Ardmore Path on Saturday, January 19th.

She also stated that she has continued tracking the Vehicle Licensing Fees case *League of California Cities v. John Chiang*. She noted the money from the VLF largely funds community

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safety activities and reported that there is a challenge to the allocation of these funds to the five Special Police Districts in the state. She said that to date the judge has 90 days to render an opinion.

President Lloyd stated that he attended the LAFCO meeting on Wednesday and the Municipal Service Review (MSR) for the libraries was discussed.

GM/COP Harman stated that the MSR on the libraries was available for review on the Contra Costa County LAFCO website and that citizens that are concerned about the status of the Kensington library should review the report and comments made regarding both the Kensington and El Cerrito libraries.

STAFF COMMENTS- NONE

CONSENT CALENDAR

Director Lipscomb requested that Item E-Board Member Reports be pulled.

Vice President Gillette requested that Item G-Police Department Update be pulled.

Director Lipscomb stated that for Board Member Reports, it was hard for the Policy Committee to get together over the holidays and that the expense policy would be a priority at the next Policy Committee meeting scheduled for January 22nd.

Vice President Gillette asked why it was taken so long to complete the Internal Affair Investigations listed in the Police Department Update. Master Sergeant Hull stated that there have been other priorities being addressed at the department. Vice President Gillette then stated she believed the investigations should be moved to the top of the priority list.

MOTION: Director Toombs moved to approve the Consent Calendar. Director Lipscomb seconded the motion. Motion to approved 4-0.

AYES: Lloyd, Gillette, Toombs, Lipscomb NOES: 0 ABSENT:

DISTRICT – NEW BUSINESS #1 – Representatives from the West Contra Costa Unified School District will request that the Board approve KPPCSD Resolution 2013-01, a resolution of support of the West Contra Costa Unified School District bonded indebtedness waiver.

Charles Ramsey, Madelyn Croninberg, David Lifer, and Jeff Peralda provided the Board and the public with a PowerPoint presentation supporting the passage of the West Contra Costa Unified School District bonded indebtedness waiver.

BOARD COMMENTS

Vice President Gillette asks the representatives why there were limits in the first place and what happens if the waiver is not passed?

David Lifer responds by stating the waiver protects the taxpayers and the school district, stating the bond rating of the school district improves in spite of the debt.

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Jeff Peralda states that the debt limits have been in place since 2000, stating it is more expensive to the school district if the waiver is not passed.

Director Toombs asks when is the 5% set, and Jeff Peralda indicates that is at a moment in time.

Director Lipscomb comments that she is proud of Kensington for supporting Measure E and the education investment in our future. She stated that our voters have already told us what to do and by having these protections in place, better bond rates offered and lower interest rates for repayment so it is a win/ win and she is in favor of the resolution.

PUBLIC COMMENTS

Gayle Kapscott asks following the tragedy in Connecticut, what is the discussion going on in West County?

Charles Ramsey replies that the district has been working for a long time with police departments to provide safe campuses and there have been 79 security cameras installed at El Cerrito High School.

Gayle Kapscott then asks has there been any special training for teachers.

Madelyn Croninberg indicates that the Safety Committee has been meeting and that there have been safety walk throughs at all campuses and that the report is due at the next school board meeting. She stated that the Board was supporting Assemblyperson Nancy Skinner's ammunition limitation proposal.

Joan Gallegos asks what impact all of this has on programs for students and cutbacks on adult education.

Madelyn Croninberg state that new school facilities support new programs and mentions Governor Brown's recent comments regarding, "taking money from Richmond and giving it to Pinole". She states that the governor's plan is to have all money for adult education to go to the community colleges.

MOTION: Vice President Gillette motions to approve KPPCSD Resolution 2013-01. Seconded by Director Toombs. Motion passes 4 to 0

AYES: Lloyd, Gillette, Toombs, Lipscomb NOES: 0 ABSENT:

At 8:30 PM, President Lloyd indicates that there will be a short break. At 8:38 PM, the Board returns.

DISTRICT – NEW BUSINESS #2- Pursuant to KPPCSD District Policy #4060, KPPCSD Board President Tony Lloyd will appoint and publicly announce the members of the standing committees and Board Coordinators for the year 2013.

Following a brief board discussion on the assignments, President Lloyd announces the following Standing Committee assignments:

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Emergency Preparedness Committee: Director Toombs
Finance Committee: President Lloyd and Director Toombs
Solid Waste Committee: Director Lipscomb

President Lloyd then announces the following Board Coordinator assignments:

Path Committee: President Lloyd
Park Building Committee: Director Toombs
Park Planning & Recreation: President Lloyd and newly assigned director
(As of 1/30/2013 Len Welsh)
Policy & Procedures: Vice President Gillette and Director Lipscomb
Intergovernmental/ External Issues: Vice President Gillette and Director Lipscomb

DISTRICT – NEW BUSINESS #3- The Board will discuss the process and procedures for conducting the candidate interviews to fill the vacancy on the KPPCSD Board created when former KPPCSD Director Mari Metcalf resigned on December 13th.

Vice President Gillette presents the questions formatted to be asked of the candidates to fill the board vacancy.

Director Toombs presents the timeline for filling the vacancy. He states that the procedure should be the board will ask each one of the candidates the questions and each candidate will be given the opportunity to answer each question. He indicates that the public will not be allowed to ask the candidates questions.

PUBLIC COMMENTS

Anthony Knight asks what happens if the Board gets two weak candidates, will the Board select between the two.

Director Toombs states that they will have to or the County will appoint to fill the vacancy.

FINAL BOARD COMMENTS

President Lloyd states there should be a board planning seminar and that there needs to be an updating of the District's website.

Vice President Gillette states there needs to be better community communication and asks if there could be articles regarding District business submitted to the Outlook for publication.

MOTION: Director Toombs to adjourn. Second by Vice President Gillette. Motion passes 4 to 0.

AYES: Lloyd, Gillette, Toombs, Lipscomb NOES: 0 ABSENT:

KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 1
BOARD OF DIRECTORS

Meeting Action Minutes for 1/12/2013

AGENDA

A Regular meeting of the Board of Directors (BOD) of the Kensington Police Protection and Community Services District (KPPCSD) was held Saturday, January 12, 2013, 9:00 AM, at the Community Center, 59 Arlington Avenue, Kensington, California.
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ATTENDEES

<u>Elected Members</u>	<u>Public Speakers</u>	
Tony Lloyd, President	Phil Zimmerman	
Patricia Gillette, Vice President	John Stein	
Linda Lipscomb, Director	Ceira Wood	
Charles Toombs, Director	Lisa Corona	
	Craig Hill	
	Debra Lane	
	Len Welsh	
<u>Staff Members</u>		
Gregory E. Harman, General Manager/Chief of Police		
Sergeant Kevin Hui		

Board President Tony Lloyd called the meeting to order at approximately 9:10 AM and took a roll call of the Board members.

PUBLIC COMMENTS

Phil Zimmerman, identified himself as a Boy Scout leader and resident, and stated that he believed spending money on aesthetics for the community center was a waste of money.

John Stein told the board that since the election in November, he has noticed improved aura in the room on both sides of the table.

Ceira Wood stated that a majority of the community was older residents and underserved, mentioning that the Annex has the potential to be used to fill that need and encouraged the board to look at services that can be provided. She said that the pre-school community is already served and there should be a room to serve the rest of us.

BOARD COMMENTS

President Lloyd stated that nothing is off the table and that the board tries to represent all of the community. He said Director Toombs will continue to chair the park Buildings Committee.

Director Lipscomb stated that this is a hard choice; about money and about choice. The building needs repairs but that it has to be within budgeted means. She said that the District has priority issues and budget issues and they need to ask are the changes compatible with the usage.

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Vice President Gillette mentions that she has remodeled every house she has ever lived in and all the contractors she has worked with have all said the same thing, "While you are there..." She said we need to ask, "What do we want the building to be?" She said we need to hear all the discussions and make the best decision for the community.

Director Toombs stated that today we are trying to educate the community, stating that decisions are not going to be made today.

President Lloyd thanked the park Buildings Committee for all the work they have put into the project.

Director Lipscomb advised the public that after today's meeting, the El Cerrito Democratic Club will be holding a candidates meeting.

Director Toombs then introduces Lisa Corona, a member of the Park Buildings Committee, indicating she will be opening the presentation.

Lisa Corona begins the PowerPoint presentation on New Business Item #1- the Park Buildings Remodel Project Financing Options.

After her opening remarks, Lisa thanked the Kensington Community Council for their donation that paid for the consulting services and turned the presentation over to Craig Hill of NHA Advisors.

Following Craig Hill's presentation on the financing options for the remodel the Board made comments.

BOARD COMMENTS

Director Toombs states that what they have done is come up with a range of options for the buildings as well as come up with the possible costs to those options. He stated that this building is a community asset and would be needed in a natural disaster. He indicated that being said, the building needs improvements.

President Lloyd asks about a timeline for the project and Director Toombs questioned approximately 6 months.

Lisa Corona then stated that if we had the money today, it would be approximately 1 ½ years out from "go". She stated that we have a long timeline in front of us.

Vice President Gillette then thanked the committee and Craig Hill for the presentation. She stated that they needed to go out to the community to make sure this is what the community really wants. She said there has to be an explanation of what and why this is needed before going forward.

Director Lipscomb thanked the committee, stating that there has been exposure in the community of this work and states it is a challenge to getting people to attend these meetings. She said that

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she was ready to move forward with surveying the appetite for completing this work. She said she didn't want to lose any more time or incur more expense with additional delays.

President Lloyd thanked the committee and the presenter for the presentation. He said he understands Phil's issue, how are we going to fund park and recreational programs? He said it is a quality of life issue, asking what is the value of the park and buildings now and what will it be in the long run? He said this will be our legacy and what we will leave our children.

PUBLIC COMMENTS

Debra lane identified herself as the architect of the original remodel of the community center in 2010. She said that at that time, there estimates of the project were \$375,000. She said this project has been hijacked by the District and the costs have escalated with all the consultants. She again stated that the original estimates for the project were \$375,000, but stated that didn't include Rooms 2 and 3. She asks how this project could now cost \$1.4 million. She said the process is so complicated that it is adding to the costs.

She said she wished the Board would give it back to the KCC to do their magic as it has done in the past with Building E. She said that trying to pass a parcel tax in this climate will be difficult. She ended her comments by saying people don't attend these meetings because the process drags on for so long.

Vice President Gillette then states that they need a timeline moving forward and they need to see if a majority in the community feel the way you do (in reference to Lane's comments).

Debra Lane then responds that the committee's add to the overlays and costs of the project.

President Lloyd then asks if the committee could come back in 60 days to determine the costs and the support for the project.

Director Toombs states that is not a question of giving it back to KCC, stating that we have received expert opinions on how to move forward and that he is sorry but it is different from yours (referring to Lane's).

He said the community may not want to pay anything but that is what the Board and community will decide.

Lisa Corona states that because it is a public project, the District has to pay prevailing wage and accept the lowest responsible bid.

Director Lipscomb thanked Lane for her past efforts and stated from a legal point of view, the District owns the property and that the District has the legal obligation to improve it. She said even if they returned the project to KCC, it would still have to be completed as a public project.

John Stein states that he too served on the committee and that nobody stalled this project. He said the committee worked hard but the Board it was working under was not functional at the time. He stated it took months to get the \$5,000 needed to fund the financial consultant because the Board would not pay for it.

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Len Welsh questions offsetting revenues and states it is a quality of life issue.

Director Toombs then states that these public buildings are not profitable and that we are never going to make this a profitable building. He said the question is would the project be a worth while public improvement?

Vice President Gillette says that there are still people like her that don't know enough about the project.

When asked for comments, General Manager Harman states that as mentioned earlier, this project would never make a profit for the District but it was to improve the quality of life in the community.

MOTION: Director Toombs moved to adopt the recommendation of the Park Building Committee in that, "The Park Buildings Committee requests that the Board accept the findings and presentation prepared by NHA Advisors. The Committee further requests that based on the findings of the Park Buildings Master Plan and the financing options, the Committee be empowered to publicize to the community the recommendations in the Master Plan and collect information on the level of community interest park building improvements and the range of financing options and return to the Board for further discussion. Second by Vice President Gillette. Motion passes 4-0.

AYES: Lloyd, Gillette, Toombs, Lipscomb NOES: 0 ABSENT:

KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 1
BOARD OF DIRECTORS

Meeting Action Minutes for 1/30/2013

AGENDA

A Regular meeting of the Board of Directors (BOD) of the Kensington Police Protection and Community Services District (KPPCSD) was held Wednesday, January 30, 2013, 6:30 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.

ATTENDEES

<u>Elected Members</u>	<u>Public Speakers</u>	
Tony Lloyd, President	Roslyn Unknown Last	
Patricia Gillette, Vice President	Rodney Paul	
Linda Lipscomb, Director	Paul Dorroh	
Charles Toombs, Director	Gayle Kapscott	
	John Stein	
<u>Staff Members</u>		
Gregory E. Harman, General Manager/Chief of Police		
Sergeant Kevin Hui		

Board President Tony Lloyd called the meeting to order at approximately 6:30 PM and took a roll call of the Board members.

PUBLIC COMMENTS- NONE

At 6:35 PM, the Board entered into Closed Session Pursuant to California Government Code Section 54956.9(b), conference with legal counsel to discuss significant exposure to litigation regarding Bay View Refuse & Recycling, Inc. demand for arbitration.

At 7:18 PM, the Board returned to Open Session and Board Members Charles Toombs, Linda Lipscomb, and Richard Lloyd were served with a Petition for Writ of Mandate and for Declaratory and Injunctive Relief for Petitioners Leonard Schwartzburd and others represented by former Director Mari Metcalf.

President Lloyd then reported out on the Closed Session stating that the Board advised counsel to continue in the arbitration with Bay View Refuse.

PUBLIC COMMENTS

Roslyn Unknown Last name said that at the last meeting there was not enough time allowed for public comments. She also advised the board that they should listen to the opinions of the unsuccessful candidates for the vacant board position.

BOARD COMMENTS

Vice President Gillette stated that she was pleased that they had three excellent candidates for the vacant board position and was looking forward to the selection process.

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NEW BUSINESS ITEM #1- President Tony Lloyd will lead the discussion on the selection of the Board's negotiators for the upcoming negotiations with the Kensington Police Officers Association.

President Lloyd opens the discussion on who wished to serve as the Board's negotiators.

Vice President Gillette states that she would prefer to wait until they have identified the fifth board member before selecting a negotiating team.

Director Toombs agrees with Vice President Gillette's comments.

Director Lipscomb states that she believes "Chuck and Pat" make a great negotiating team.

Director Toombs states that he will negotiate if Vice President Gillette agrees to do it too.

Vice President Gillette agrees to be part of the negotiating team.

President Lloyd announces the Board's negotiators with the Kensington Police Officers Association upcoming contract will be Vice president Gillette and Director Toombs.

NEW BUSINESS ITEM #2- The Board will interview and possibly select one of the following three candidates to fill the KPPCSD Director position vacant as a result of Mari Metcalf's resignation December 13, 2012. The candidates are:

Becky Stephens
Len Welsh
Kim Zvik

The board begins asking each of the candidates the following questions, rotating the order of which candidate answers first:

- What motivates you to serve on the KPPCSD?
- Please describe any special professional, technical or vocational skills you will bring to the management of District business and affairs.
- Please describe the top three issues you see affecting the Kensington community and how you would approach each of the issues.
- Tell us about a time when you were part of a group working on a complex problem. What was your role? How did it work out?

After the candidates have provided their answers to the above questions, the Board moves to Board comments.

BOARD COMMENTS

Vice President Gillette thanked the candidates for their participation.

President Lloyd also thanked the candidates for their participation.

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Director Toombs comments that all the candidates are qualified and that each brings their own expertise stating, Kim had the IT experience, Len has the executive experience, and Becky has the connection to the Kensington School, making this a difficult decision.

Director Lipscomb states she would like to have more input from young families and mentions that she has received a half a dozen letters of support for Becky Stephens.

PUBLIC COMMENTS

Rodney Paul states that he supports all three candidates and mentions the need for representation for the lower part of Kensington.

Paul Dorroh also states he supports all three candidates and points out that by having four attorneys on the board it could skew the decision making process.

Gayle Kapscott states that she noted one candidate mentioned that they had the available time to serve and mentioned the need for a community needs assessment. She said that having four attorney's on the board may create "sledge" in the decision making process.

John Stein stated that he would like to hear which committees the candidates would be willing to serve on before a selection is made. He also states that there is a gap in representation from young families and the school community.

Director Toombs then closes the public comments and calls for a vote by the board, asking each board member to vote once for one of the candidates.

First Vote: Stephens- Toombs, Lipscomb
Welsh- Gillette, Lloyd

Kim Zvik requests a call for a vote for her. Director Toombs calls for a vote for Zvik and there was none. She then leaves the building.

Vice president Gillette says that the next two years are going to be critical to the District with critical decisions having to be made and the Board will need representation with experience in dealing with conflicts and contracts.

President Lloyd states he voted for Welsh because he represents the lower portion of Kensington and he is impressed with his background and experience in law.

Director Lipscomb states she feels the need for representation of younger families on the board.

Second Vote: Stephens- Toombs, Lipscomb
Welsh- Gillette, Lloyd

Director Lipscomb comments that Becky Stephens could use more seasoning and maybe could run in the next election.

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Vice President Gillette asks if Len Welsh could sit on the Finance Committee and Becky Stephens could be assigned to the Board.

Director Toombs calls for the third vote.

Third Vote: Stephens- Toombs, Lipscomb
Welsh- Gillette, Lloyd

Director Toombs states he would move to vote for Len Welsh to move the process along. He then calls for a fourth vote.

Fourth Vote: Welsh- Gillette, Lloyd, Toombs
Stephens- Lipscomb

President Lloyd announces the selection of Len Welsh to fill the Director position vacated by Mari Metcalf.

MOTION: To Adjourn by Lipscomb, second by Gillette. Motion passes 4-0.

AYES: Lloyd, Gillette, Toombs, Lipscomb NOES: 0 ABSENT:

Meeting adjourned at 8:54 PM.

KPPCSD
Unaudited Profit & Loss Budget Performance
 January 2013

	<u>Jan 13</u>	<u>Budget</u>	<u>Jul '12 - Jan 13</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
400 · Police Activities Re...					
401 · Levy Tax	6,373.01		2,344,951.22	1,275,000.00	1,275,000.00
402 · Special Tax-Police	0.00		0.00	680,000.00	680,000.00
403 · Misc Tax-Police	0.00		0.00		50.00
404 · Measure G Suppl...	0.00		0.00	405,614.00	405,614.00
410 · Police Fees/Servi...	70.00		1,036.15	1,000.00	2,000.00
414 · POST Reimburse...	0.00		1,350.79		
415 · Grants-Police	39,036.54		39,036.54		
416 · Interest-Police	0.00	750.00	1,234.99	1,500.00	3,000.00
418 · Misc Police Income	0.00	1,250.00	13,603.04	8,750.00	15,000.00
Total 400 · Police Activiti...	<u>45,479.55</u>	<u>2,000.00</u>	<u>2,401,212.73</u>	<u>2,371,864.00</u>	<u>2,380,664.00</u>
420 · Park/Rec Activities ...					
424 · Special Tax-L&L	0.00		32,660.80	30,000.00	30,000.00
426 · Park Donations	0.00		0.00		500.00
427 · Community Cente...	0.00	2,000.00	8,083.00	14,000.00	24,000.00
428 · Building E Revenue	7,500.00		15,000.00		
436 · Interest-Park/Rec	0.00	50.00	0.00	100.00	200.00
438 · Misc Park/Rec Rev	0.00		388.50	250.00	500.00
Total 420 · Park/Rec Acti...	<u>7,500.00</u>	<u>2,050.00</u>	<u>56,132.30</u>	<u>44,350.00</u>	<u>55,200.00</u>
440 · District Activities R...					
448 · Franchise Fees	0.00		6,723.05	10,000.00	20,000.00
456 · Interest-District	0.00	125.00	0.00	250.00	500.00
458 · Misc District Rev...	0.00		60.00		
Total 440 · District Activit...	<u>0.00</u>	<u>125.00</u>	<u>6,783.05</u>	<u>10,250.00</u>	<u>20,500.00</u>
Total Income	52,979.55	4,175.00	2,464,128.08	2,426,464.00	2,456,364.00
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	75,812.96	74,175.58	533,543.43	519,229.10	890,107.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 January 2013

	Jan 13	Budget	Jul '12 - Jan 13	YTD Budget	Annual Budget
504 · Compensated Ab...	0.00		3,963.14	5,000.00	10,000.00
506 · Overtime	1,417.64	3,333.33	35,873.01	23,333.31	40,000.00
508 · Salary - Non-Sworn	1,644.00	4,333.33	12,935.00	30,333.35	52,000.00
516 · Uniform Allowance	666.60	666.67	4,664.89	4,666.65	8,000.00
518 · Safety Equipment	0.00		250.00	3,000.00	6,000.00
521-A · Medical/Vision/...	14,411.07	12,537.67	97,861.02	87,763.65	150,452.00
521-R · Medical/Vision/...	12,251.72	14,888.50	94,544.11	104,219.50	178,662.00
521-T · Medical/Vision/...	0.00		145,720.00		-32,942.00
522 · Insurance - Police	424.00	436.67	2,382.00	3,056.65	5,240.00
523 · Social Security/M...	1,161.30	1,208.50	8,619.11	8,459.50	14,502.00
524 · Social Security - ...	135.90	268.67	1,025.52	1,880.69	3,224.00
527 · PERS - District P...	25,785.06	25,446.33	181,401.07	178,124.31	305,356.00
528 · PERS - Officers P...	6,883.14	6,735.83	48,423.82	47,150.81	80,830.00
530 · Workers Comp	0.00		50,963.24	34,012.20	56,687.00
Total 500 · Police Sal & B...	140,593.39	144,031.08	1,222,169.36	1,050,229.72	1,768,118.00
550 · Other Police Expen...					
552 · Expendable Polic...	0.00	150.00	226.90	1,050.00	1,800.00
553 · Range/Ammunitio...	0.00		0.00	2,000.00	4,000.00
560 · Crossing Guard	438.48	822.17	4,823.28	5,755.19	9,866.00
562 · Vehicle Operation	2,538.97	4,766.67	33,729.46	33,366.69	57,200.00
564 · Communications ...	19,165.26	11,830.00	84,725.28	82,810.00	141,960.00
566 · Radio Maintenance	19,498.29	1,812.50	19,722.37	12,687.50	21,750.00
568 · Prisoner/Case Ex...	194.10	533.33	14,750.08	3,733.31	6,400.00
570 · Training	623.67	1,083.33	5,199.10	7,583.35	13,000.00
572 · Recruiting	350.00	1,083.33	2,082.00	7,583.31	13,000.00
574 · Reserve Officers	0.00	675.00	156.00	4,725.00	8,100.00
576 · Misc. Dues, Meal...	170.00	260.42	2,245.00	1,822.94	3,125.00
580 · Utilities - Police	601.91		4,998.80	4,000.01	8,000.00
581 · Bldg Repairs/Maint.	0.00	83.33	464.90	583.31	1,000.00
582 · Expendable Offic...	289.59	500.00	3,083.08	3,500.00	6,000.00
588 · Telephone(+Rich....	369.13	1,385.00	5,026.61	9,695.00	16,620.00
590 · Housekeeping	385.70	333.33	2,592.87	2,333.35	4,000.00
592 · Publications	36.00	250.00	2,405.63	1,750.00	3,000.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 January 2013

	Jan 13	Budget	Jul '12 - Jan 13	YTD Budget	Annual Budget
594 · Community Polici...	947.57	125.00	2,040.25	875.00	1,500.00
596 · WEST-NET/CAL I.D.	0.00		13,130.00	13,130.00	13,130.00
599 · Police Taxes Adm...	0.00	800.00	804.61	2,400.00	3,200.00
550 · Other Police Expe...	10.88		-173.50		
Total 550 · Other Police E...	45,619.55	26,493.41	202,032.72	201,383.96	336,651.00
600 · Park/Rec Sal & Ben					
601 · Park & Rec Admi...	548.00	541.67	3,605.75	3,791.69	6,500.00
602 · Custodian	1,750.00	1,750.00	12,250.00	12,250.00	21,000.00
623 · Social Security/M...	0.00	41.42	0.00	289.94	497.00
Total 600 · Park/Rec Sal ...	2,298.00	2,333.09	15,855.75	16,331.63	27,997.00
635 · Park/Recreation Ex...					
640 · Community Cente...					
642 · Utilities-Comm...	438.88	391.33	3,080.29	2,739.31	4,696.00
643 · Janitorial Suppl...	0.00		820.32	375.00	750.00
646 · Community Ce...	21.81	166.67	1,226.04	1,166.69	2,000.00
Total 640 · Community ...	460.69	558.00	5,126.65	4,281.00	7,446.00
660 · Annex Expenses					
662 · Utilities - Annex	291.32	125.00	3,486.72	875.00	1,500.00
Total 660 · Annex Expe...	291.32	125.00	3,486.72	875.00	1,500.00
670 · Gardening Suppli...	0.00	83.33	0.00	583.31	1,000.00
672 · Kensington Park ...	3,990.00	6,825.67	31,043.73	47,779.69	81,908.00
678 · Misc Park/Rec Ex...	0.00	83.33	2,146.88	583.35	1,000.00
Total 635 · Park/Recreati...	4,742.01	7,675.33	41,803.98	54,102.35	92,854.00
800 · District Expenses					
810 · Computer Mainte...	1,357.00	2,572.42	10,803.72	18,006.94	30,869.00
820 · Cannon Copier C...	420.55	558.33	2,742.14	3,908.31	6,700.00
830 · Legal (District/Pe...	0.00	5,416.67	75,253.74	37,916.69	65,000.00
835 · Consulting	2,300.00		2,500.43		
840 · Accounting	2,925.00	1,825.00	10,936.25	12,775.00	30,075.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 January 2013

	<u>Jan 13</u>	<u>Budget</u>	<u>Jul '12 - Jan 13</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
850 · Insurance	0.00		24,387.27	30,000.00	30,000.00
860 · Election	0.00		0.00	6,000.00	6,000.00
865 · Police Bldg. Lease	15,298.00		30,596.00	30,596.00	30,596.00
870 · County Expenditu...	0.00	100.00	7,627.51	7,800.00	19,900.00
890 · Waste/Recycle	248.35	3,041.67	34,817.71	21,291.69	36,500.00
898 · Misc. Expenses	987.00	866.67	9,466.40	6,066.65	10,400.00
Total 800 · District Expen...	<u>23,535.90</u>	<u>14,380.76</u>	<u>209,131.17</u>	<u>174,361.28</u>	<u>266,040.00</u>
950 · Capital Outlay					
962 · Patrol Cars	0.00		0.00		23,000.00
963 · Patrol Car Access...	0.00		0.00		10,000.00
969 · Computer Equip...	0.00		541.53		8,000.00
972 · Park Buildings Im...	0.00		2,165.69		
Total 950 · Capital Outlay	<u>0.00</u>		<u>2,707.22</u>		<u>41,000.00</u>
Total Expense	<u>216,788.85</u>	<u>194,913.67</u>	<u>1,693,700.20</u>	<u>1,496,408.94</u>	<u>2,532,660.00</u>
Net Ordinary Income	-163,809.30	-190,738.67	770,427.88	930,055.06	-76,296.00
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-179,881.98		
710 · Bond Admin.	909.15		9,471.67		
715 · Bond Interest Inc...	0.00		-83.42		
720 · Bond Principal	0.00		112,110.74		
730 · Bond Interest	0.00		25,543.91		
Total 700 · Bond Issue Ex...	<u>909.15</u>		<u>-32,839.08</u>		
Total Other Expense	<u>909.15</u>		<u>-32,839.08</u>		
Net Other Income	<u>-909.15</u>	<u>0.00</u>	<u>32,839.08</u>	<u>0.00</u>	<u>0.00</u>

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Accrual Basis

KPPCSD
Unaudited Profit & Loss Budget Performance
January 2013

	<u>Jan 13</u>	<u>Budget</u>	<u>Jul '12 - Jan 13</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Net Income	<u>-164,718.45</u>	<u>-190,738.67</u>	<u>803,266.96</u>	<u>930,055.06</u>	<u>-76,296.00</u>

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

From: Gregory E. Harman, General Manager/ Chief of Police

FORWARDED TO:

Date: Friday, February 08, 2013

Subject: Consent Calendar Item E- Park Revenue & Expenses

The KPPCSD Board and the Park Buildings Committee has requested a separate and detailed accounting of park revenues and expenses.

This information is obtained through our QuickBooks software. Revenue and expenses from July 1, 2012 through February 8, 2012 is attached to this memo.

KPPCSD
Account QuickReport
 July 1, 2012 through February 7, 2013

Type	Date	Num	Name	Memo	Split	Amount
420 · Park/Rec Activities Revenue						
424 · Special Tax-L&L						
General Journal	10/8/2012	JV07...	CCC Taxes-LLD	SP ASSESS ...	146 · Advance...	32,660.80
Total 424 · Special Tax-L&L						32,660.80
427 · Community Center Revenue						
Deposit	7/26/2012	316		CC Rental Ju...	112 · General ...	1,000.00
Deposit	7/26/2012	V913...		Rental of roo...	112 · General ...	60.00
Deposit	8/7/2012	1696		CC Rental on...	112 · General ...	700.00
Deposit	8/7/2012	1062		CC Rental on...	112 · General ...	650.00
Deposit	8/21/2012	395		GPF 50 hou...	112 · General ...	1,650.00
Deposit	8/21/2012	139		Wake up to A...	112 · General ...	45.00
Deposit	10/1/2012	1613		Aug 5 rental ...	112 · General ...	50.00
Deposit	10/1/2012	147		Wake Up to ...	112 · General ...	45.00
Deposit	10/1/2012	1097		East Bay Coll...	112 · General ...	598.00
Deposit	10/17/2012	160		CC Rental for...	112 · General ...	400.00
Deposit	10/17/2012	1559		CC Rental for...	112 · General ...	600.00
Deposit	10/17/2012			CC Rental for...	112 · General ...	100.00
Deposit	11/16/2012	175		CC Rental	112 · General ...	50.00
Deposit	11/16/2012	40497		CC Rental	112 · General ...	300.00
Deposit	11/16/2012	103		CC Rental	112 · General ...	850.00
Deposit	11/16/2012	149		Oct payment ...	112 · General ...	45.00
Deposit	11/16/2012	156		Wake Up to ...	112 · General ...	45.00
Deposit	12/27/2012	826		CC Rental 12...	112 · General ...	450.00
Deposit	12/27/2012	162		Wake Up to ...	112 · General ...	45.00
Deposit	12/27/2012	1008		CC Rental Fri...	112 · General ...	400.00
Deposit	2/7/2013			CC Rental 1-...	112 · General ...	600.00
Deposit	2/7/2013	170		Alanon Rent	112 · General ...	45.00
Total 427 · Community Center Revenue						8,728.00
428 · Building E Revenue						
Deposit	7/26/2012	6266		KCC 2nd half...	112 · General ...	7,500.00
Deposit	1/7/2013	6651		Bldg E Rent ...	112 · General ...	7,500.00
Total 428 · Building E Revenue						15,000.00

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Accrual Basis

KPPCSD
Account QuickReport
July 1, 2012 through February 7, 2013

Type	Date	Num	Name	Memo	Split	Amount
438 · Misc Park/Rec Rev						
Deposit	7/26/2012	3283		Tennis Court...	112 · General ...	80.00
Deposit	7/26/2012	3687		Tennis Court...	112 · General ...	40.00
Deposit	10/17/2012	430		Tennis Court ...	112 · General ...	12.50
Deposit	10/17/2012	3734		Tennis Court ...	112 · General ...	40.00
Deposit	10/17/2012	3291		Tennis Court ...	112 · General ...	80.00
Deposit	11/16/2012	3306		Tennis Court ...	112 · General ...	96.00
Deposit	11/16/2012	3816		Tennis Court ...	112 · General ...	40.00
Deposit	2/7/2013	3330		Tennis Court ...	112 · General ...	120.00
Deposit	2/7/2013	1517		Tennis Court ...	112 · General ...	42.50
Deposit	2/7/2013	3863		Tennis Court ...	112 · General ...	40.00
Total 438 · Misc Park/Rec Rev						591.00
Total 420 · Park/Rec Activities Revenue						56,979.80
TOTAL						56,979.80

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KPPCSD
Account QuickReport
 July 1, 2012 through February 7, 2013

Type	Date	Num	Name	Memo	Split	Amount
600 · Park/Rec Sal & Ben						
601 · Park & Rec Administrator						
Paycheck	7/13/2012		Di Napoli, Andrea		112 · General ...	101.75
Paycheck	7/30/2012		Di Napoli, Andrea		112 · General ...	275.25
Paycheck	8/15/2012		Di Napoli, Andrea		112 · General ...	312.75
Paycheck	8/30/2012		Di Napoli, Andrea		112 · General ...	290.50
Paycheck	9/14/2012		Di Napoli, Andrea		112 · General ...	199.75
Paycheck	9/28/2012		Di Napoli, Andrea		112 · General ...	225.25
Paycheck	10/15/2012		Di Napoli, Andrea		112 · General ...	275.50
Paycheck	10/30/2012		Di Napoli, Andrea		112 · General ...	305.50
Paycheck	11/15/2012		Di Napoli, Andrea		112 · General ...	272.00
Paycheck	11/30/2012		Di Napoli, Andrea		112 · General ...	291.75
Paycheck	12/14/2012		Di Napoli, Andrea		112 · General ...	239.25
Paycheck	12/27/2012		Di Napoli, Andrea		112 · General ...	268.50
Paycheck	1/14/2013		Di Napoli, Andrea		112 · General ...	282.75
Paycheck	1/29/2013		Di Napoli, Andrea		112 · General ...	265.25
Total 601 · Park & Rec Administrator						3,605.75
602 · Custodian						
Check	7/13/2012	14073	William Driscoll	Invoice #0079	112 · General ...	875.00
Check	7/30/2012	14103	William Driscoll	Invoice #0080	112 · General ...	875.00
Check	8/15/2012	14136	William Driscoll	August 1-15, ...	112 · General ...	875.00
Check	8/30/2012	14180	William Driscoll	August 16-31...	112 · General ...	875.00
Check	9/14/2012	14215	William Driscoll	Sept 1-15, 20...	112 · General ...	875.00
Check	9/28/2012	14252	William Driscoll	Sept 16-30, 2...	112 · General ...	875.00
Check	10/15/2012	14275	William Driscoll	Oct 1-15, 201...	112 · General ...	875.00
Check	10/30/2012	14314	William Driscoll	Oct 16-31, 20...	112 · General ...	875.00
Check	11/15/2012	14334	William Driscoll	Inv#0087 N...	112 · General ...	875.00
Check	11/30/2012	14358	William Driscoll	Inv#0088 No...	112 · General ...	875.00
Check	12/17/2012	14409	William Driscoll	Inv#0090 DE...	112 · General ...	875.00
Check	12/31/2012	14454	William Driscoll	DEC. 16-31, ...	112 · General ...	875.00
Check	1/15/2013	14464	William Driscoll	Jan 1-15,2013	112 · General ...	875.00
Check	1/30/2013	14483	William Driscoll	Jan 16-31,20...	112 · General ...	875.00
Total 602 · Custodian						12,250.00

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Accrual Basis

KPPCSD
Account QuickReport
July 1, 2012 through February 7, 2013

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Split</u>	<u>Amount</u>
Total 600 · Park/Rec Sal & Ben						<u>15,855.75</u>
TOTAL						<u><u>15,855.75</u></u>



KPPCSD
Account QuickReport
 July 1, 2012 through February 7, 2013

Type	Date	Num	Name	Memo	Split	Amount
635 · Park/Recreation Expenses						
640 · Community Center Expenses						
642 · Utilities-Community Center						
Check	7/13/2012	14074	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	7/13/2012	14095	PG&E	Community C...	112 · General ...	159.40
Check	7/30/2012	14109	EBMUD	service provi...	112 · General ...	25.24
Check	8/15/2012	14135	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	8/15/2012	14143	PG&E	Community C...	112 · General ...	168.78
Check	8/15/2012	14154	EBMUD	2 Arlmont 06/...	112 · General ...	378.53
Check	8/30/2012	14177	Olivero Plumbing Co.	Backflow Tes...	112 · General ...	112.00
Check	8/30/2012	14184	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	9/14/2012	14204	EBMUD	Acct # 11217...	112 · General ...	26.74
Check	9/14/2012	14205	PG&E	Community C...	112 · General ...	168.89
Check	10/15/2012	14262	PG&E	Community C...	112 · General ...	189.80
Check	10/15/2012	14263	EBMUD	Acct #30801...	112 · General ...	236.98
Check	10/15/2012	14270	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	11/15/2012	14331	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	11/15/2012	14337	PG&E	Community C...	112 · General ...	248.96
Check	11/15/2012	14339	EBMUD	ACCT#12179...	112 · General ...	26.74
Check	11/30/2012	14362	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	12/14/2012	14391	PG&E	Community C...	112 · General ...	306.51
Check	12/14/2012	14393	EBMUD	ACCT#30801...	112 · General ...	124.84
Check	1/15/2013	14465	PG&E	Community C...	112 · General ...	330.13
Check	1/15/2013	14474	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	1/30/2013	14495	EBMUD	840 Coventry...	112 · General ...	30.75
Total 642 · Utilities-Community Center						3,080.29
643 · Janitorial Supplies						
Check	8/30/2012	14178	UBS	Janitorial Sup...	112 · General ...	559.39
Check	9/14/2012	14208	Kensington Home a...	Bill Communi...	112 · General ...	40.32
Check	9/14/2012	14208	Kensington Home a...	Bill Light	112 · General ...	142.44
Check	10/15/2012	14281	Kensington Home a...	Sep 2012 Inv...	112 · General ...	78.17
Total 643 · Janitorial Supplies						820.32
646 · Community Center Repairs						

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KPPCSD
Account QuickReport
 July 1, 2012 through February 7, 2013

Type	Date	Num	Name	Memo	Split	Amount
Check	10/30/2012	14310	KEL-AIRE	service call, i...	112 · General ...	484.23
Check	12/14/2012	14389	Summer Rain Land...	Cleaning of C...	112 · General ...	240.00
Check	12/14/2012	14389	Summer Rain Land...	Removal of R...	112 · General ...	200.00
Check	12/14/2012	14389	Summer Rain Land...	Removal and...	112 · General ...	280.00
Check	1/15/2013	14470	Kensington Home a...	Bill-Communi...	112 · General ...	21.81
Total 646 · Community Center Repairs						1,226.04
Total 640 · Community Center Expenses						5,126.65
660 · Annex Expenses						
662 · Utilities - Annex						
Check	7/13/2012	14095	PG&E	Annex servic...	112 · General ...	23.82
Check	7/30/2012	14109	EBMUD	service provi...	112 · General ...	177.80
Check	9/14/2012	14204	EBMUD	Acct # 55377...	112 · General ...	1,614.96
Check	9/14/2012	14204	EBMUD	Acct # 55376...	112 · General ...	211.42
Check	11/15/2012	14336	EBMUD	Acct# 55377...	112 · General ...	998.32
Check	11/15/2012	14336	EBMUD	Acct# 55376...	112 · General ...	169.08
Check	1/30/2013	14495	EBMUD	1 Windsor Irri...	112 · General ...	110.96
Check	1/30/2013	14495	EBMUD	1 Windsor Sc...	112 · General ...	180.36
Total 662 · Utilities - Annex						3,486.72
Total 660 · Annex Expenses						3,486.72
672 · Kensington Park O&M						
General Journal	7/1/2012	REV ...		NBS	153 · Prepaid ...	1,108.86
Check	7/13/2012	14077	Summer Rain Land...	July's monthl...	112 · General ...	2,050.00
Check	7/13/2012	14077	Summer Rain Land...	branch remo...	112 · General ...	835.00
Check	7/13/2012	14078	UBS	park services...	112 · General ...	584.00
Check	7/30/2012	14109	EBMUD	service provi...	112 · General ...	1,363.40
Check	7/30/2012	14115	Fernando Herrera	2" water main...	112 · General ...	345.00
Check	7/30/2012	14115	Fernando Herrera	stump remov...	112 · General ...	125.00
Check	7/30/2012	14115	Fernando Herrera	7/14/12 grind...	112 · General ...	120.00
Check	7/30/2012	14115	Fernando Herrera	drinking fount...	112 · General ...	90.00
Check	7/30/2012	14115	Fernando Herrera	oak tree bran...	112 · General ...	180.00
Check	7/30/2012	14115	Fernando Herrera	bench repair	112 · General ...	135.00

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KPPCSD
Account QuickReport
 July 1, 2012 through February 7, 2013

Type	Date	Num	Name	Memo	Split	Amount
Check	8/15/2012	14138	UBS	park services...	112 · General ...	447.81
Check	8/21/2012	14164	Summer Rain Land...	Monthly Main...	112 · General ...	2,050.00
Check	8/21/2012	14164	Summer Rain Land...	removed bro...	112 · General ...	320.00
Check	9/14/2012	14214	UBS	Park Restroo...	112 · General ...	584.00
Check	9/14/2012	14221	Fernando Herrera	Sept. monthl...	112 · General ...	2,031.54
Check	9/14/2012	14221	Fernando Herrera	removal & ha...	112 · General ...	420.00
Check	9/14/2012	14221	Fernando Herrera	removal, fabri...	112 · General ...	2,200.00
Check	9/14/2012	14221	Fernando Herrera	removal of ol...	112 · General ...	1,600.00
Check	9/14/2012	14221	Fernando Herrera	repair chain li...	112 · General ...	80.00
Check	9/28/2012	14251	Summer Rain Land...	Fix broken sp...	112 · General ...	320.00
Check	9/28/2012	14251	Summer Rain Land...	cut down dea...	112 · General ...	280.00
Check	10/15/2012	14261	Summer Rain Land...	Oct Monthly ...	112 · General ...	2,050.00
Check	10/15/2012	14273	NBS Government Fi...	Police Tax	112 · General ...	813.06
Check	10/15/2012	14274	UBS	Park Restroo...	112 · General ...	584.00
Deposit	10/17/2012	714L...		Insurance Re...	112 · General ...	-4,300.00
Check	11/15/2012	14318	UBS	Park Restroo...	112 · General ...	584.00
Check	11/15/2012	14347	Summer Rain Land...	Nov. Monthly ...	112 · General ...	2,050.00
Check	12/14/2012	14386	UBS	Park Restroo...	112 · General ...	584.00
Check	12/14/2012	14389	Summer Rain Land...	Dec. Monthly ...	112 · General ...	2,050.00
Check	12/14/2012	14389	Summer Rain Land...	Clear pump 2...	112 · General ...	250.00
Check	12/14/2012	14389	Summer Rain Land...	install 2 yare...	112 · General ...	380.00
Check	12/14/2012	14389	Summer Rain Land...	Remove larg...	112 · General ...	80.00
Check	12/28/2012	14421	NBS Government Fi...	Police Tax	112 · General ...	813.06
Check	12/28/2012	14422	UBS	Park Restroo...	112 · General ...	584.00
Check	12/28/2012	14423	Olivero Plumbing Co.	Flush Valve ...	112 · General ...	112.00
Check	12/31/2012	14446	The Professional Tr...	Inv #20054 T...	112 · General ...	3,150.00
Check	1/15/2013	14469	Summer Rain Land...	Jan 2013 Mai...	112 · General ...	2,050.00
Check	1/30/2013	14522	Summer Rain Land...	Path on hill; r...	112 · General ...	340.00
Check	1/30/2013	14522	Summer Rain Land...	160 ft. sectio...	112 · General ...	1,600.00
Total 672 · Kensington Park O&M						31,043.73
678 · Misc Park/Rec Expense						
General Journal	9/18/2012	CK 1...	Guitar Center	Reverse of G...	112 · General ...	-2,022.12
Check	10/30/2012	14286	California Park & R...	Membership t...	112 · General ...	170.00
Check	12/14/2012	14384	Moran Engineering	Topographic ...	112 · General ...	3,999.00

82

8:34 PM

02/07/13

Accrual Basis

KPPCSD
Account QuickReport
July 1, 2012 through February 7, 2013

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Split</u>	<u>Amount</u>
Total 678 · Misc Park/Rec Expense						<u>2,146.88</u>
Total 635 · Park/Recreation Expenses						<u>41,803.98</u>
TOTAL						<u>41,803.98</u>

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Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED

YES

NO

From: Gregory E. Harman, General Manager/ Chief of Police

FORWARDED TO:

Date: Friday, February 07, 2013

Subject: Consent Calendar Item G- Correspondence

Attached is the District correspondence received for the month of January.

- Item #1- Is an e-mail response dated January 13th sent to Deanna Collis from Master Sergeant Rick Hull regarding case dispositions
- Item #2- Is a Notice of Public Hearing received from Contra Costa County
- Item #3- Is a letter received from El Cerrito Police Chief Sylvia Moir

Greg Harman

From: Greg Harman [gharman@kensingtoncalifornia.org]
Sent: Monday, January 14, 2013 12:06 PM
To: 'Richard Lloyd'; 'patricia gillette'; 'Charles Toombs'; 'LINDA LIPSCOMB'
Cc: 'Joel Koosed'
Subject: FW: KPD Vs. FBI Case Dispositions
FYI, Master Sergeant Hull's response to Collis.

From: Rickey Hull [mailto:rhull@kensingtoncalifornia.org]
Sent: Sunday, January 13, 2013 2:20 PM
To: Deanna.collis@gmail.com
Cc: 'Greg Harman'; 'estegman'
Subject: KPD Vs. FBI Case Dispositions

Ms. Collis,

This e-mail is a response to your public statement made at the January 2013 KPPCSD Board meeting where you requested information pertaining to the Kensington Police Department's criteria for closing case reports to affect case clearance rates for statistical purposes. I hope you will find the following a satisfactory answer to your questions.

The Kensington Police Department's (KPD) clearance rates are in line with the FBI's clearance rates in so far as the total number of crimes are divided by the total number of crimes cleared. KPD utilizes three dispositions for cases; Closed; Suspended; and Pending. KPD considers a crime cleared when a case is closed by several means, not limited to the following:

Closed:

- Victim does not desire prosecution of an identified responsible party.
- If a suspect has been identified and arrested.
- If a suspect is identified and/or arrested but the District Attorney's Office decides not to prosecute the case.
- If the statute of limitations have been exceeded for a particular offense, this case will be considered closed. **However, a case that falls within this defined criteria is not considered to be cleared for statistical purposes.**

KPD does not use any form of administrative closing of cases. Other case dispositions are as follows:

Suspended:

- Lack of investigative leads.
- Lack of victim/witness cooperation.
- No further follow up is necessary.

Pending:

- Witnesses still need to be contacted.

1/14/2013

- Case investigation has not been completed.

I think if you compare KPD's criteria for closing crime cases for statistical purposes it is almost identical to the FBI's with the exception that KPD does not use the designation cleared or closed by "exceptional means." Though the FBI considers cases closed or cleared "exceptional" to be a cleared case for statistical purposes. KPD will classify this same case as "closed" which will have the same affect on the KPD clearance rate.

Sgt. R. Hull #K17

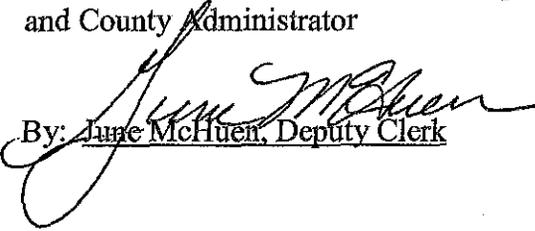
**Contra
Costa
County**



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, February 26, 2013 at 9:30 a.m. in the Board of Supervisors Chambers, Room 107 of the County Administration Building, 651 Pine Street, Martinez, California, a public hearing will be held for the Determination of Property Tax Administrative Cost Recovery for Fiscal Year 2011/2012. A copy of the Property Tax Calculation Report is on file in the office of the Clerk of the Board of Supervisors at 651 Pine Street, Room 106, Martinez, California, (925) 335-1900.

David Twa, Clerk of the Board of Supervisors
and County Administrator

By:  June McHuen, Deputy Clerk



EL CERRITO POLICE DEPARTMENT

10900 SAN PABLO AVENUE • EL CERRITO, CA 94530-2391

TEL (510) 215-4400 • FAX (510) 235-6618

Sylvia M. Moir, Chief of Police

January 14, 2013

Chief Greg Harman
Kensington Police Department
217 Kensington Avenue
Kensington, CA 94530

GREG
Chief Harman,

I would like to personally thank you and your agency, especially Officer Christopher Turner and Sergeant Kevin Hui, for responding to an incident on December 27, 2012.

The El Cerrito Police Department responded to an in progress assault with a firearm and had to use deadly force to stop the threat to the victim. Our patrol team needed extra personnel and requested it from your agency. The officers listed came to our assistance and provided valuable service until we could get more personnel to the scene to relieve them.

Your department has assisted us in this fashion many times over the years and we appreciate the effort. By working together, we are fostering an environment that promotes partnerships and respect for each other and we are truly appreciative of the help Kensington Police Department provided us during this incident.

Please express my gratitude to your agency and if we can ever be of assistance to you and your agency, please do not hesitate to let me know.

Regards,

Sylvia M. Moir
Sylvia M. Moir
Chief of Police

*cc: LISTED PERSONNEL, FILED
PROCT.*

34

January 2013 Police Department Report

February 8, 2013

- Department Personnel

- We are currently fully staffed at 10 sworn positions and we currently have two reserve officers.

Stephanie Wilkens has completed Phase 1 of her Field training and is currently in Phase 2 with Officer Rodney Martinez.

- Commendations and Correspondence

- On January 14th, we received a thank you letter from El Cerrito Police Chief Sylvia Moir for the assistance given to their agency by Sergeant Kevin Hui and Officer Chris Turner on December 27, 2012.

- Investigation of Alleged Misconduct

- Department Investigation 2012-002 was initiated on May 14th, 2012, on an allegation that an officer was insubordinate. This investigation is being conducted by Sergeant Hull.
- Citizen's Investigation 2012-003 was initiated on June 28th, 2012, on an allegation that 3 officers were rude during a traffic stop. This investigation is being conducted by Sergeant Hui.
- Citizen's Investigation 2012-004 was initiated on June 29th, 2012, on an allegation that an officer used racial profiling in making a traffic stop. This investigation is being conducted by Sergeant Hull.
- Citizen's Investigation 2013-001 was initiated on January 3, 2013, on allegations that two officers acted in an unprofessional manner. This investigation is being conducted by Chief Harman.

- 9-1-1 / Richmond Communication Center Information.

The Ring Time Report for December 2012 documented a total of 44 "911" calls for service with one having a ring time over 20 seconds that occurred on 12-0212 at 8:16 AM with a ring time of 34 seconds. After speaking with the dispatcher, there was no call for service.

The average ring time for the month of December was 6 seconds.

The Ring Time Report for January 2013 documented a total of 34 "911" calls for service with no ring times over 20 seconds.

The average ring time for January was 5 seconds.

- Community Networking

- On 01-03-12, Chief Harman attended the PTA meeting at the Kensington Hilltop School.
- On 01-07-13, Chief Harman, KPPCSD President Tony Lloyd, and KPPCSD Director Linda Lipscomb attended the Annual KCC meeting.
- On 01-14-13, Chief Harman attended a meeting with the staff of the Growing Lights Nursery School and the Arlington Church to discuss traffic and safety concerns.
- On 01-14-12, Officer Wilson attended the Kensington Public Safety Council meeting.
- On 01-15-13, Sergeant Hui participated in the Boy Scout Troop 100 Induction Ceremony.
- On 01-17-13, Officers Wilson and Wilkens, along with Chief Harman participated in the KPSC/ KPPCSD sponsored "Identify Theft Workshop". There were 150 people in attendance for the program.
- On 01-18-13, Chief Harman represented the Kensington Police Department at a meeting with State Senator Loni Hancock to discuss law enforcement issues with her and other local law enforcement leaders from her district.
- On 01-23-13, Chief Harman attended the Contra Costa County Police Chief's Association meeting in Martinez.
- On 01-28-13, Chief Harman, KPPCSD President Tony Lloyd, and KPPCSD Director Linda Lipscomb attended the Contra Costa County California Special District Association Chapter meeting in Concord.

- Community Criminal Activity
 - This section of the Watch Commander's Reports are prepared by Sergeant Barrow for Team One, Sergeant Hui for Team Two, and Detective Stegman.
- Watch Commander Reports
 - **Sergeant Barrow**

TEAM #1 STATISTICS

Officer:	Ramos (K41) (0600-1800)	Wilson (K38) (1800-0600)	Wilkins (K50) (1800-0600)
Days Worked	15	15	5
Traffic Stops	23	12	9
Moving Citations	13	2	10
Parking Citations	1	3	4
Vacation/Security Checks	16	64	41
FI-Field Interview	0	0	0
Traffic Accident Reports	2	0	1
Cases	6	3	1
Arrests	0	0	3
Calls for Service	45	18	14

Sergeant Barrow attended a 24 hour Internal Affairs Investigation Class.

- BRIEFING/TRAINING:
 - Reviewed Case Law: Maxwell v. County of San Diego
 - Reviewed Case Law: People v. Fernandez
 - Reviewed Case Law: People v. Robinson
 - Reviewed Case Law: People v. Schmitz
 - Reviewed Case Law: People v. Tully
 - Reviewed Case Law: People v. Rodriguez
 - Reviewed PC 148 – Resist/Obstruct/Firearm
 - Reviewed VC 23123 – Driving while using a wireless telephone
 - Reviewed VC 23123.5 – Driving motor vehicle while texting
 - Reviewed VC 15620 – Unsupervised children in a motor vehicle
 - Reviewed Hot Pursuit of Misdemeanants into a Home
 - Reviewed Law Enforcement Telephone Investigations Resource Guide
 - Reviewed changes to CVC laws for Electronic Verification of Financial Responsibility
 - Discussed DMV "Pending Master File" on vehicle registrations
 - Reviewed KPD Policy #206 – Disaster Plan

- Reviewed KPD Policy #212 – Electronic Mail
- Reviewed KPD Policy #214 – Administrative Communications
- Reviewed KPD Policy #600 – Investigation and Prosecution
- Reviewed KPD Policy #602 – Sexual Assault Victim’s DNA Rights
- Reviewed KPD Policy #608 – Confidential Informants
- Reviewed KPD Policy #704 – Vehicle Maintenance
- Reviewed KPD Policy #706 – Vehicle Use
- Reviewed KPD Policy #808 – Restoration of Firearms
- Reviewed KPD Policy #810 – Release of Records Information
- Reviewed KPD Policy #1024 – Body Armor
- Reviewed KPD Policy #1026 – Peace Officer Personnel Files

SERGEANT’S REVIEW:

- Reviewed participation requirements for the Victim Compensation Program.

SERGEANT’S SUMMARY:

- Reviewed Contra Costa County Response to Domestic Violence Protocol.

During the month of January we saw very little or no rain. The weather will be changing very soon and we should start seeing more rain and fog in the near future. I would ask drivers to check their vehicle’s tires, windshield wipers and lighting, to see if all are in good working order. Tires with minimal or no tread may lose traction with the roadway or hydroplane, potentially causing a collision. Windshield wipers that are hard, cracked or that don’t have good contact with the windshield surface can also potentially limit your vision. Not fully removing the water from your windshield could potentially obscure hazards in the roadway, people, pets, deer and vehicles. Not maintaining your vehicle’s lighting can also potentially cause hazardous conditions. People will have difficulty seeing you and vice versa. By not maintaining your vehicle you can potentially be cited for each of these violations. So please maintain your vehicle and drive safely for yourself and others.

- **SIGNIFICANT EVENTS:**
- 2013-001 – On 1-1-2013, Officers Wilson and Wilkens responded to the 200 block of Arlington Avenue and arrested three juveniles for possession of alcohol.
- 2013-124 – On 1-8-2013, Officer Armanino responded to the 00 block of Sunset Drive for a reported vandalism, damaged sign.
- 2013-125 – On 1-8-2013, Officer Ramos responded to the 200 block of Stanford Avenue for a reported identity theft.
- 2013-229 – On 1-13-2013, Officer Ramos responded to the 00 block of Arlington Avenue for a reported vandalism, damaged front door.

- 2013-242 – On 1-14-2013, Officer Ramos responded to the 200 block of Arlington Avenue for a reported non-injury traffic collision.
- 2013-245 – On 1-14-2013, Officer Ramos responded to the 00 block of Lawson Drive for a reported residential burglary.
- 2013-276 – On 1-15-2013, Officers Wilson and Wilkens responded to the 1600 block of Oak View Avenue for a reported non-injury traffic collision.
- 2013-397 – On 1-23-2013, Officer Ramos responded to the 500 block of Coventry Road for a reported vandalism, property spray painted.
- 2013-398 – On 1-23-2013, Officer Ramos responded to the 500 block of Coventry Road for a reported vandalism, property spray painted.
- 2013-399 – On 1-23-2013, Officer Ramos responded to the 500 block of Coventry Road for a reported vandalism, roadway sign spray painted.
- 2013-403 – On 1-23-2013, Officer Ramos responded to the 00 block of Edgcroft Drive for a reported identity theft.
- 2013-405 – On 1-23-2013, Sergeant Barrow and Detective Stegman responded to the area of Liberty Street and Stockton Avenue in El Cerrito to assist El Cerrito Police Officers in the search for shooting suspects.
- 2013-529– On 1-28-2013, Officer Ramos responded to the 1600 block of Oak view Avenue for a reported theft from an unlocked vehicle.

TRAFFIC STATISTICS:

28 moving citations were issued on Colusa Ave.
 37 moving citations were issued on Arlington Ave.
 1 moving citation was issued on Franciscan Way.
 1 moving citation was issued on Sunset Ave.
 1 moving citation was issued on Rincon Road.
 1 moving citation was issued on Coventry Road.
 1 moving citation was issued on Amherst Ave.
 1 moving citation was issued on Highland Blvd.
 1 moving citation was issued on Stanford Ave.
 4 moving citations were issued on Berkeley Park Blvd.

•• Sergeant Hui

TEAM #2 STATISTICS

Sergeant Hui (K42)
 (1600-0400)

Officer:	Martinez (K31) (0600-1800)	Turner (K46) (1800-0600)
Days Worked	16	16
Traffic Stops	25	53
Moving Citations	10	20
Parking Citations	1	2

Vacation/Security Checks	49	71
FI-Field Interview Cases	0	0
Arrests	2	3
Traffic Accident Reports	0	1
Calls for Service	0	0
	58	43

Officer Turner and Sergeant Hui attended a 2 hr CPR/AED update course.
 Sergeant Hui recovered 12 hours of comp time.
 Sergeant Hui attended a 24 hour Internal Affairs Investigation Class.
 Officer Wilkens is currently training with Officer Martinez

BRIEFING/TRAINING:

- o Reviewed Case Law: Maxwell v. County of San Diego
- o Reviewed Case Law: People v. Fernandez
- o Reviewed Case Law: People v. Robinson
- o Reviewed Case Law: People v. Schmitz
- o Reviewed Case Law: People v. Tully
- o Reviewed Case Law: People v. Rodriguez
- o Reviewed PC 148 – Resist/Obstruct/Firearm
- o Reviewed VC 23123 – Driving while using a wireless telephone
- o Reviewed VC 23123.5 – Driving motor vehicle while texting
- o Reviewed VC 15620 – Unsupervised children in a motor vehicle
- o Reviewed Hot Pursuit of Misdemeanors into a Home
- o Reviewed Law Enforcement Telephone Investigations Resource Guide
- o Reviewed changes to CVC laws for Electronic Verification of Financial Responsibility
- o Discussed DMV “Pending Master File” on vehicle registrations
- o Reviewed KPD Policy #206 – Disaster Plan
- o Reviewed KPD Policy #212 – Electronic Mail
- o Reviewed KPD Policy #214 – Administrative Communications
- o Reviewed KPD Policy #600 – Investigation and Prosecution
- o Reviewed KPD Policy #602 – Sexual Assault Victim’s DNA Rights
- o Reviewed KPD Policy #608 – Confidential Informants
- o Reviewed KPD Policy #704 – Vehicle Maintenance
- o Reviewed KPD Policy #706 – Vehicle Use
- o Reviewed KPD Policy #808 – Restoration of Firearms
- o Reviewed KPD Policy #810 – Release of Records Information
- o Reviewed KPD Policy #1024 – Body Armor
- o Reviewed KPD Policy #1026 – Peace Officer Personnel Files

SERGEANT’S REVIEW:

- o Reviewed County Response to Domestic Violence Protocols.

SERGEANT'S SUMMARY:

On January 17, 2013, the Kensington Police Department hosted an identity theft presentation by LifeLock. Officer Wilson did a great job in coordinating this event and we had a fantastic turn out of both Kensington and El Cerrito residents.

As many of you know, identity theft continues to be a problem for just about every community within the country. Identity theft crimes are often difficult to solve. Factors that increase the difficulty of finding a resolution to these types of crimes include limited resources of the investigating law enforcement agencies and that the commission of these crimes can span across states and even countries. Some of us have been unfortunate enough to have been the victim of identity theft and have learned how much time it takes to try and regain control of our identity. The best way to combat identity theft is to try and prevent it.

There are several ways that you can be proactive in combating identity theft. These include:

- Check your credit report every year. You are entitled to a free credit report each year. Take advantage of the free credit report and verify that the information it contains is correct.
- Opt out of direct marketing mail. By opting out of direct marketing mail, you should be able to greatly reduce the number of pre-approved credit offers that you receive.

There were several organizations and websites provided during the LifeLock Identity Theft presentation. I've created a Identity Theft Prevention page on the www.kensingtoncalifornia.org website under the "Police Department" menu that lists these resources. I would encourage you to take a look at this page and research some of the information there.

One topic covered during the ID Theft presentation was RFID enabled credit cards. These are credit cards that have a RFID chip imbedded within that uses radio frequency electromagnetic fields to transfer information wirelessly. These cards look like regular credit cards with the exception of a RFID chip that is imbedded in the card. You may have been to stores that are capable of accepting these cards. They typically have a "reader" that you have to pass your card over (instead of the conventional credit card terminals that you have to swipe your card through). Many fast food restaurants have these devices where a reader is mounted on the exterior of the drive thru window. Apparently, these RFID enabled credit cards are always emitting your credit card information. A would be identity thief can use specialized equipment to "read" your RFID signal while parked across the parking lot (or possibly further). The easy way to combat this type of identity theft is to check to see if you have any of these RFID enabled

credit cards. If you have one, contact the issuing bank and have them re-issue a card that does not have an RFID chip.

SIGNIFICANT EVENTS:

- 2013-0034– On 01/03/2013, Officer Turner responded to the unit blk of Ardmore Rd on a report of a residential burglary.
- 2013-0182– On 01/11/2013, Officer Martinez responded to the unit blk of Arlington Ct on a report of an identity theft.
- 2013-0347– On 01/18/2013, Officer Turner responded to the 400 blk of Berkeley Park Blvd on a report of a vehicle burglary.
- 2013-0457– On 01/25/2013, Officer Martinez and Officer Wilkens responded to the 200 blk of Arlington Ave on a report of a fraud.
- 2013-0478—On 01/26/2013 Officer Turner arrested a driver on the unit blk of Arlington Ave for driving under the influence.

Reserve Officer:	Armanino (K47)
Days Worked	4
Traffic Stops	11
Moving Citations	11
Parking Citations	0
Vacation/Security	1
Checks	
FI-Field Interview	0
Cases	0
Arrests	0
Traffic Accident Reports	0
Calls for Service	7

•• Detective Eric Stegman

SIGNIFICANT EVENTS:

08-1636 Stolen Vehicle

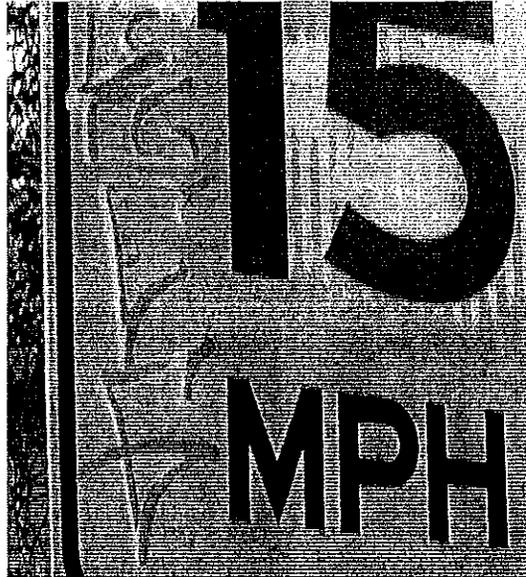
On 1/4/13 KPD was notified a stolen vehicle which was reported stolen on 3/27/08, had been recovered by CHP. CHP advised they had a suspect in custody in connection with the stolen vehicle. **This case is cleared and will be submitted to the Alameda County District Attorneys Office by the arresting agency.** As I and Chief Harman have explained in the past, classifying a case as suspended is not the “death” of a case. It simply means there are no further investigative avenues or leads in which can be acted upon currently. This case is a prime example. There were no leads for nearly five years and all of a sudden a suspect was located and arrested.

13-245 Burglary

On 1/14/13, a burglary was reported on the unit block of Lawson Rd. The resident who previously lived there had passed away recently and the house was not occupied, however the deceased's belongings remained in the house. There were no signs of forced entry. It is believed a family acquaintance of the deceased may still be in possession of a key to the house and was also aware of where valuables were stored. **This case is under investigation.**

13-397, 13-398, 13-399 Vandalism

A series of vandalisms (graffiti) were reported which all occurred between 1/22/13 and 1/23/13. These are all believed to be connected because of the similar moniker ("KEG") at each location. Below is a photograph of one of the graffiti. **If you have any information regarding this case please contact Detective Eric Stegman.**



13-0485 Vandalism

During the day of 1/25/13 there was roadway construction near the intersection of Arlington Ave and Westminster Ave. When the construction crew left for the evening they parked a paving machine on Westminster Ave near Arlington Ave, at around 1630 hours, which was to be picked up later that evening. By the time the construction employee arrived to retrieve the machine that night at 2130 hours, someone had cut a main wiring harness inside the engine compartment of the machine. These wires were essential to the machines operation and the machine was completely disabled, costing the company several thousand dollars in repairs to the machine. After talking with patrol officers who worked on 1/25/13, they told me there was a great deal of anger expressed towards the construction crew by motorists who were delayed in daily activities by the construction. It is quite possible an angry motorist or resident was responsible for returning and causing damage to the paving machine. Given the high traffic area where the machine was parked, and the time of day this occurred I believe it

is likely someone may have seen this occur, or at least seen the suspect lurking around the machine, and not realized what was actually occurring. **If you have any information regarding this case please contact Detective Eric Stegman.**

KPD INVESTIGATIONS INFORMATION:

12-5354 Murder

On 8/13/12 at approximately 1145 hours, Officer Ramos responded to a welfare check for a potential fall victim (James Durkin). Shortly after his arrival Officer Ramos requested I respond to the scene. Due to the initial circumstances I began investigating the case as a homicide. During the investigation it was revealed the victim had been stabbed in the chest with a serrated kitchen knife. Later in the investigation, the suspect (Diane Sydenham), was identified. Early on 8/14/12, Sydenham was arrested for the Murder of James Durkin. On 8/16/12 the Contra Costa County District Attorney's Office formally charged Sydenham with Murder and she was arraigned.

On 8/30/12 a judge granted an increase in Sydenham's Bail from \$1,000,000 to \$2,000,000. On 9/20/12 Sydenham entered a not guilty plea. The date of the preliminary hearing is TBD.

2011-1618 Homicide.

On 03-12-11, KPD Officers were dispatched to a possible dead body in the 00 block of Arlington Avenue. The individual was pronounced dead at the scene. This case is being investigated as a homicide.

KPD INVESTIGATIONS

- I made court runs for filling cases, and retrieve court notifications.
- I updated the KPD Case Review Log.
- I reviewed the "Trak Flyer" messages and maintained the flyer board.
- I assisted WestNET and the Siskiyou County Sheriff's Department, with the execution of two search warrants on 1/15/13. This was in relation to a \$1.25 million theft of gold, which occurred at the Siskiyou County Courthouse.
- On 1/28/13, I assisted WestNET with a surveillance operation.

KPD Monthly Crime Statistics

January 2012

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	1*	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	0	0	0	0	0
Residential Burglary	2	1	1	0	0
Larceny Theft	1	0	1	0	0
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Part 1 Totals	3	1	2	0	0

Other Crimes

Auto Burglary	0	0	0	0	0
Identity Theft	3	1	2	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	6	0	6	0	0
Drugs	0	0	0	0	0
Warrant	0	0	0	0	0
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	0	0	0	0	0
Other Misdemeanor Traffic	1	0	0	1	1
Other Crime Totals	10	1	8	1	1

All Crime Totals	13	2	10	1	1
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Traffic Accidents (Non Injury)	3
Traffic Accidents (Injury)	0

*Case from a previous year.

KJ

•• **Chief Harman**

A question was raised at the January 10th KPPCSD Board meeting in regards to the way we clear our cases. Master Sergeant Hull provided an excellent definition of the way we come to the dispositions of our investigations which is in the "Correspondence" portion of the February 14th agenda packet.

Not wanting to miss an opportunity to get the word out, I have included a portion of his response here:

"The Kensington Police Department's (KPD) clearance rates are in line with the FBI's clearance rates in so far as the total number of crimes are divided by the total number of crimes cleared. KPD utilizes three dispositions for cases; Closed; Suspended; and Pending. KPD considers a crime cleared when a case is closed by several means, not limited to the following:

Closed:

- Victim does not desire prosecution of an identified responsible party.
- If a suspect has been identified and arrested.
- If a suspect is identified and/or arrested but the District Attorney's Office decides not to prosecute the case.
- If the statute of limitations have been exceeded for a particular offense, this case will be considered closed. **However, a case that falls within this defined criteria is not considered to be cleared for statistical purposes.**

KPD does not use any form of administrative closing of cases. Other case dispositions are as follows:

Suspended:

- Lack of investigative leads.
- Lack of victim/witness cooperation.
- No further follow up is necessary.

Pending:

- Witnesses still need to be contacted.
- Case investigation has not been completed.

I think if you compare KPD's criteria for closing crime cases for statistical purposes it is almost identical to the FBI's with the exception that KPD does not use the designation cleared or closed by "exceptional means." Though the FBI considers cases closed or cleared "exceptional" to be a cleared case for statistical purposes. KPD will classify this same case as "closed" which will have the same affect on the KPD clearance rate."

Now even when we do suspend a case, that does not mean we never re-open the investigation. There are times that new information is developed later and this scenario occurred this month as reported by Detective Stegman in his monthly report above.

"On 1/4/13 KPD was notified a stolen vehicle which was reported stolen on 3/27/08, had been recovered by CHP. CHP advised they had a suspect in custody in connection with the stolen vehicle. **This case is cleared and will be submitted to the Alameda County District Attorneys Office by the arresting agency.** As I and Chief Harman have explained in the past, classifying a case as suspended is not the "death" of a case. It simply means there are no further investigative avenues or leads in which can be acted upon currently. This case is a prime example. There were no leads for nearly five years and all of a sudden a suspect was located and arrested."

We will continue to investigate each case we encounter fully, and continue to do so exhausting all leads, in an effort to bring the case to a successful conclusion. We do so not to record the best clearance rates in the County, but to provide the best service to you, our community.

February 2013

February 2013							March 2013						
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Jan 27 - Feb 2							
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Feb 3 - 9		7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 9:30pm KCC (CC3)	5:00pm 6:30pm Gymnastics (CCM) 7:00pm 10:00pm Troop 100 (CCM)		7:15pm 9:15pm EBC (Side Room)	7:00pm 11:00pm KCC FUNDRAISING EVENT (CCM)	5:00pm 11:00pm Hilltop 6th Grade Dance (CCM)
	10	11	12	13	14	15	16
Feb 10 - 16		3:45pm 5:45pm Girl Scouts (CCM) 6:30pm 7:30pm KPSC (CC3) 7:00pm 8:00pm Cub-Scouts (CCM)	5:00pm 6:30pm Gymnastics (CCM) 7:00pm 10:00pm Troop 100 (CCM)	7:00pm 9:00pm KFD Mtg (CC3) 7:30pm 10:00pm GPFF (CCM)	7:00pm 10:00pm KPPCSD MTG (CC3)	Copy: Monthly Statistic	
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Feb 17 - 23		7:00pm 8:00pm Cub-Scouts (CCM)	5:00pm 6:30pm Gymnastics (CCM) 7:00pm 10:00pm Troop 100 (CCM)		7:00pm 9:00pm KPSC Presentations (CCM) 7:15pm 9:15pm EBC (Side Room)		
	24	25	26	27	28	Mar 1	2
Feb 24 - Mar 2		7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 9:30pm KIC (CC3)	5:00pm 6:30pm Gymnastics (CCM) 7:00pm 10:00pm Troop 100 (CCM) 7:30pm 9:00pm KMAC (CC3)				

df

March 2013

March 2013						
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April 2013						
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	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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3/24 - 29	24	25 7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 9:30pm KIC (CC3)	26 5:00pm 6:30pm Gymnastics (CCM) 7:00pm 10:00pm Troop 100 (CCM) 7:30pm 9:00pm KMAC	27	28	29	30 6:00pm 10:00pm CC Rental (CCM)
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**KENSINGTON COMMUNITY COUNCIL
OFFICE REPORT**

FEBRUARY 2013

DRAFT

Marty Westby, Administrator

KASEP

KASEP classes have been in session five weeks. Classes are going well and everything seems to be flowing fairly smoothly. There are 352 children attending KASEP classes and another 48 students enrolled in KCC special interest classes such as gymnastics, circus, karate and Bandworks. Spring KASEP session registration is scheduled for Tuesday, March 12th. Spring KASEP brochures will be available and put in student's backpacks the first week in March. Spring session runs from March 25 – May 31.

Summer Camp

Summer Camp 2013 schedule is published in the February Outlook. An automation in-house demonstration of a proposed automation software vendor and software will be presented at the February KCC Board meeting.

KCC

Jazzercise continues with classes on Monday, Wednesday and Friday, 8:15am-9:15am. Catherine Martiken just started teaching an adult Body Sculpting class at the community center Tuesday and Thursday mornings from 9:00-10:00am. Adult Acrylic Art Class continues on Wednesday mornings, 9:45- 1:30pm.

General recreation building maintenance was required during the month of January. A six foot by two foot patch of roof shingles blew off in the last big January storm; the roof was patched and repaired January 25th. The office heater quit working during January's cold spell; a heating contractor was called and he replaced the limit switch which malfunctioned. During heavy storms, water was entering the Rec. Ctr. Classroom C's window and causing damage. The exterior was caulked and the drywall repaired.

American Heart Association Heart Saver AED/CPR class was conducted January 23rd and attended by Kensington Police, karate instructor, KCC staff and the Kensington Gas Station assistant. This training is in preparation of the installation of an AED in the community center and Chevron gas station.

KCC is sponsoring a Valentine Dance for Adults, February 8th - a perfect parents' night out; desserts and drinks served. Childcare provided for attending families. More information can be found in the February Outlook.

General Manager January 2013 Report

Budget

For the month of January, I will use this portion of the General Manager's Monthly Report to provide a Mid-Year Budget Review.

Revenues:

Year to date revenues are already above our budgeted projections for the year. Year to date we have \$2,464,128.08 in collected revenue and our budgeted revenue estimate was \$2,456,364. This slight increase is due to the collection of \$39,000 of the \$100,000 of our COPS Grant.

However, future COPS Grant funding is in jeopardy due to the current lawsuit filed by the League of California Cities v. John Chiang. The suit is challenging the legality of funding the COPS Grant with money collected from the State's Vehicle License Fees. The suit also challenges the payment of grant money to the five special police districts in the State and names our District in the suit as one of the five. If they are successful on either point, we could lose the \$100,000 a year we have been using to fund our 10th officer position.

Expenses:

Salaries are our single biggest expense. Year to date salary expense for sworn personnel is \$533,543 compared to our budgeted amount of \$519,229. This slight increase is due to the increases in salary for the GM/COP, new Master Sergeant position, and the new Corporal salary step negotiated after the budget was approved.

There has been a salary saving for Non-Sworn salaries with expense year to date of \$12,935 and budgeted amount year to date of \$30,333. This is a result of the District Secretary being off since August on unpaid leave. This savings however has been off set by increases in legal and accounting costs incurred as a result of this absence.

Year to date our total salary expense are \$26,000 over budgeted amounts at this time in the fiscal year. Most of this increase is due to the increases caused by the new employee contracts and the additional overtime expense incurred as a result of the homicide investigation in August.

Other Police Expenses are right on budgeted targeted estimates.

Park & Rec expenses are at expected levels, even though there is a year to date saving of \$16,000 in the park operations & maintenance budget. As we move through the rainy season, repairs and maintenance costs will increase and we will

be back on to targeted budgeted expectations.

Year to Date District expenses are at \$209,000 and the Year to Date budgeted amount is \$174,000. This increase is due to two factors, the increases in legal expenses associated with both the District legal expense and management of the waste contract.

District legal expenses have increased as a result of the actions of two former board members, the most recent being the filing of the "Writ of Mandate" by former Director Mari Metcalf representing Leonard Schwartzburd and several others.

Increases legal fees in the management of the waste contract with Bay View were caused by Bay View demand for arbitration in their demand for rate increases.

These increases in unexpected legal fees are increasing the projected shortfall of \$12,000, even with the receipt of the \$100,000 COPS Grant funding. As of today's date, I estimate the year end shortfall to be at least \$40,000 and this amount could increase depending on the arbitrators ruling on legal fees.

Kensington Park

Community Center & Annex

NHA Advisors met with the Park Building Committee on Tuesday, January 8th, at 7PM to discuss their initial findings for the park building remodeling financing options. Then on Saturday, January 12th at 9 AM, NHA Advisors made their presentation to the KPPCSD Board and public at the Community Center. The Board then directed the Park Building Committee to publicize to the community the recommendations of the Park Buildings Master Plan and collect information on the level of community interest in park building improvements and the range of financing options, and return to the Board for further discussions.

The next meeting of the Park Buildings Committee will be Monday, February 11th at 7PM at the Public Safety Building.

The hiring of the financial consultant was made possible by the generous donation of up to \$5,000 from the Kensington Community Council (KCC).

Park Repairs

Some of the park repairs begun in January include the replacement of the crack stairs connecting the lower parking lot with the Community Center, repair of the steps leading to the Kensington Hilltop School, replacement of the 120 foot long retaining wall running along the Arlington sidewalk, and the removal of several dead and hanging branches that were creating a hazard.

Emergency Preparedness

We now have the agenda and the minutes of the Public Safety Council posted on the KPPCSD web page for review.

The next meeting of the Kensington Public Safety Council will take place Monday, February 11th, at its new time of 6:00 PM at the Community Center Room #3.

It is very important for those interested in Kensington's emergency preparedness to come to the meetings. The declining community interest in this group is placing this group's continued existence in jeopardy.

On Thursday, January 17th, at 7 PM, the KPSC hosted an "Identity Theft Workshop" at the Community Center in which over 150 Kensington and El Cerrito residents came and learned how to protect themselves against identity theft.

Other District Items of Interest

Solid Waste

The arbitrator agreed to by the District and Bay View has been retained and we are continuing in the arbitration process requested by Bay View over their demand for an increase in rates. The District has just approved Bay View's 2012 increase of 2.8% in rates per the CPI increase that took effect January 1, 2013.

Public Works Issues

Street Lights

In March, I sent the County a listing of all the street lights that were out along the Arlington. In April, you may have noticed that the street light pole in front of the Chevron station had been tied off with ropes to the Kensington Improvement Club sign board and the lights removed. The investigation into why and by who took some time but in June I was informed by the County that the streetlights are being replaced by PG&E as part of a centerbore wood pole replacement project going on throughout Contra Costa County. On Monday, July 23rd, I was advised that Pacheco Utility would be starting the PG&E pole replacement project on the Arlington on Tuesday, July 24th. And start it they did.

I have also received at least a half dozen complaints so far about the look of the new lights and I have been in touch with Kate Rauch at John Gioia's office. Kate investigated the project for us and received this reply from the Assistant Contra Costa County Public Works Director;

"Kate,

It is my understanding that the Kensington Community has concerns over PG&E's centerbore wood pole streetlight replacement project. In the current project area, streetlight service is provided by County Service Area L-100 (CSA L-100). This means that CSA L-100 pays PG&E for the streetlight service and maintenance. The rate schedule for this is LS 1, where PG&E owns and maintains the streetlights and CSA L-100 pays a flat rate for each light.

County staff met with PG&E representatives earlier this year regarding phase 1 of the centerbore wood pole replacement project. All wood poles have a life expectancy and PG&E made a determination to take a proactive approach to replace them. The purpose of the replacement project would be to provide more reliable lighting to communities, reduce pole failures and overall maintenance costs. At that meeting, it was our understanding that streetlight pole replacements would be done with similar decorative poles if appropriate. Similar streetlight replacement projects in other unincorporated areas were done this way (aging decorative wood poles were replaced with new decorative light poles). We are currently contacting our PG&E representative to determine why a standard galvanized pole is currently being installed, not a decorative alternative."

On Monday, August 27th, I met with County Supervisor John Gioia, KPPCSD Director Linda Lipscomb, KIC President Mellissa Holms-Synder, County Public Works representatives, and representatives from PG&E to discuss the project and Kensington's concerns.

As of this date the replacement project has been halted and Supervisor Gioia held public meeting between the County, PG&E, and all concerned Kensington residents on Thursday, November 1, at 6:30 PM, at the Community Center. The meeting was well attended with approximately 40 residents attending to voice their concerns.

The project remains on hold and we are waiting to hear from John Gioia as to what options or steps the community has at this point. John Gioia is planning a second community meeting in February on a date to be determined.

Paths

Now that the elections are over, we are waiting for Kate Rauch of John Gioia's office to set up a meeting between the County, the District, and our legal representatives as we begin the process of acquiring the first path, the Highland/Kenyon Path. .

Drug Take Back Day

Save the date! Our 6th Drug Take Back Day will be held on Saturday, April 27th, between 10 AM and 2 PM at the Public Safety Building.

Training

On January 29th, I attended the Hanson & Bridgett Labor & Employment Seminar held at their San Francisco office. The training included an employment law update, wage & hour issues update, litigation update, employee benefit update, and a classifying employees- exempt/ non-exempt update. The \$45 fee for the class was refunded to us by our legal counsel, Kurt Franklin, and parking was provided so there was no cost to attend the training.

Website

The Board packets, monthly reports, minutes, recordings of the KPPCSD Board Meetings, and our Bay View – County Solid Waste contracts are available for review on our website at: www.kensingtoncalifornia.org

New Business # 2-

In response to a proposal made by resident Dan O'Brien at the January 10th KPPCSD Board meeting regarding a community group to address management of vegetation in the park, President Lloyd and Dan O'Brien will lead the follow up discussion on the proposal. Board Action.

January 10, 2013

TO: Kensington Police Protection & Community Services District Board of Directors

FROM: Dan O'Brien, Kensington Resident

SUBJECT: A proposal to initiate a community group to draft and implement a plan concerning the management of the vegetation in the undeveloped area of the Kensington Community Park.

Over the years the undeveloped areas of the park have received minimal attention resulting in an exponential increase in vegetation. The end result of this increase in vegetation is that the safety of many Kensington residents, their homes, the school, and park structures are potentially at significant risk from a wildland fire.

I would like to propose the formation of a citizens group to draft a management plan that addresses the unimproved areas of the park. After the plan has been reviewed and approved implementation could be accomplished by funding through grants, donations and the volunteer actions of this and other interested local civic groups. This plan would serve as the basis for both long term and proactive management of the park

I would further recommend that other potential cooperators be involved in this planning process. A partial list would include: West Contra Costa School District, East Bay Regional Parks, Kensington Fire Protection District, Diablo Fire Safe Council, and adjacent landowners. It is hoped that these stakeholders would work together to develop and implement a comprehensive hazard fuel reduction plan.

I would be glad to answer any questions and/or make a more thorough presentation to the board and the public.

Dan O'Brien

92 Highland Blvd.

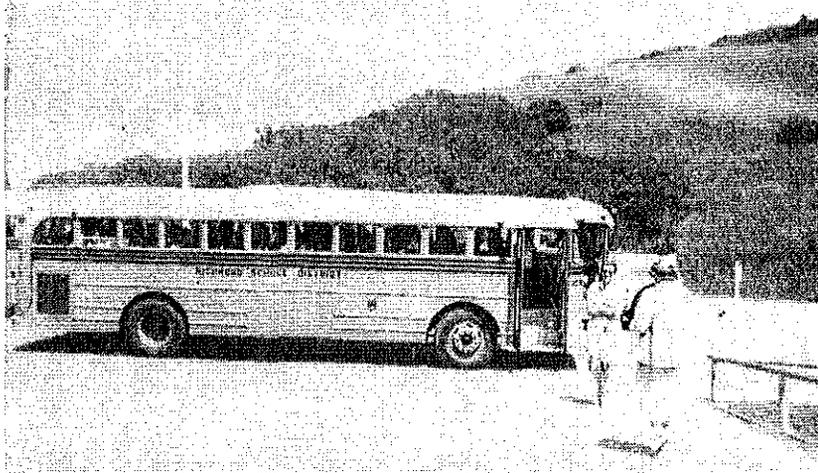
510-526-8241

CURRENT AND HISTORICAL PARK VEGETATION

The change in the vegetation is very gradual and generally goes unnoticed from one year to the next. The pictures below (same photo point) show the cumulative effect of this gradual change in the vegetation.

Kensington Hilltop School (54 year period) -

1958



2012

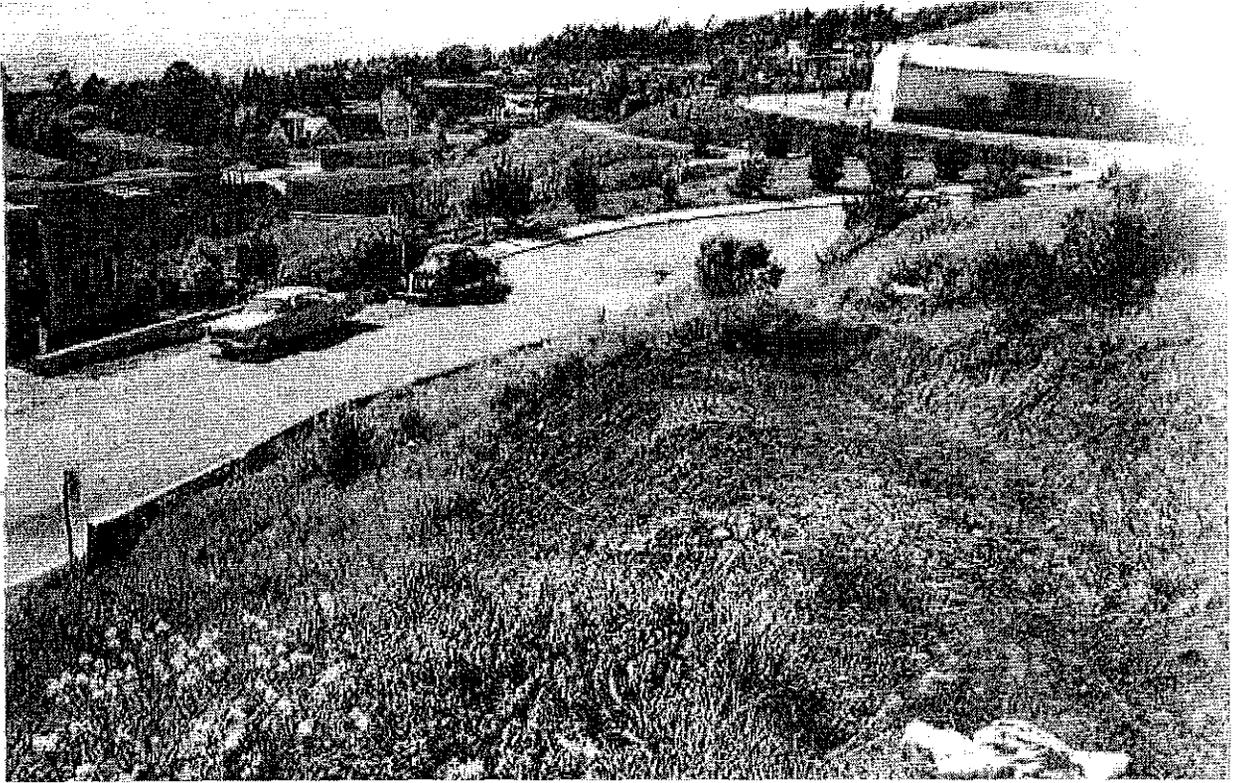


CONCLUSION

The ultimate goal of this proposal is to increase public safety and protect our resources by involving the public in managing the park in a way that benefits the entire community.

"A park which involves the public in its management as well as its use is truly a public park." *Anonymous -2013*

Bonus View or park and school - 1959



New Business # 4-

President Lloyd will ask the Board for their possible interest in a nomination to the SDRMA Board of Directors. Board Action.

Notification of Nominations – 2013 Election SDRMA Board of Directors

January 24, 2013

Mr. Charles Toombs
Board President
Kensington Police Protection and Community Services District
217 Arlington Avenue
Kensington, California 94707-1498

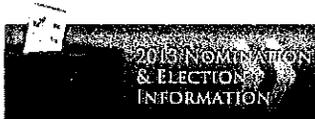
Dear Mr. Toombs:

Notice of Nominations for the Special District Risk Management Authority (SDRMA) Board of Directors 2013 Election is being provided in accordance with the SDRMA Sixth Amended and Restated Joint Powers Agreement. The following nomination information is enclosed: Nomination Packet Checklist, Board of Director Fact Sheet, Nomination/Election Schedule, SDRMA Election Policy No. 2012-05, Candidate Nomination Resolution and Candidate Statement of Qualifications.

General Election Information - Four (4) Directors seats are up for election. The nomination filing deadline is Friday, May 3, 2013. Ballots will be mailed to all SDRMA member agencies in mid-May. Mail-in ballots will be due Tuesday, August 27, 2013.

Nominee Qualifications - Nominees must be a member or the agency's governing body or full-time management employee (see SDRMA Election Policy 2012-05, Section 4.1) and be an active member agency of **both** SDRMA's property/liability and workers' compensation programs. Candidates must be nominated by resolution of their member agency's governing body and complete and submit a "Statement of Qualifications".

Nomination Documents and Information - Nomination documents (Nominating Resolution and Candidates Statement of Qualifications) and nomination guideline information may also be obtained on SDRMA's website at www.sdrma.org. To obtain documents electronically:



From the SDRMA homepage, click on the "2013 Nomination & Election Information" button. All necessary nomination documents and election information may be downloaded and printed.

Term of Office – Directors are elected to 4-year terms. The term of office for the newly elected Directors will begin January 1, 2014 and expire December 31, 2017.

Nomination Filing Deadline – Nomination documents **must be received in SDRMA's office no later than 5:00 P.M. on Friday, May 3, 2013.**

Please do not hesitate to contact SDRMA Chief Financial Officer Paul Frydendal at 800.537.7790, if you have any questions regarding the 2013 SDRMA Board of Director Nominations or the election process.

Sincerely,
Special District Risk Management Authority


Gregory S. Hall, ARM
Chief Executive Officer

2013 Nomination Packet Checklist



SDRMA BOARD OF DIRECTORS NOMINATION AND ELECTION GUIDELINES

January 9, 2013, marked the official commencement of nominations for the SDRMA Board of Directors. Four seats on the Board of Directors are up for election in August 2013.

For your convenience we have enclosed the necessary nomination documents and election process schedule. Please note that some items have important deadlines. All document contained in this packet, as well as additional information regarding SDRMA Board elections are available on our website www.sdrma.org and/or by calling SDRMA Chief Financial Officer Paul Frydendal at 800.537.7790.

- ___ **Attachment One:** **SDRMA Board of Directors Fact Sheet:** SDRMA Board of Directors has established a policy that requires candidates seeking election to the SDRMA Board of Directors to be: 1) a member of the agency's governing body or full-time management employee (per SDRMA Election Policy 2012-05, Section 4.1) of their respective member agency that is currently participating in **both** SDRMA's Property/Liability and Workers' Compensation Programs, and 2) nominated by resolution of the Board of Directors of their respective member agency. This document also reviews the Board of Directors' Role and Responsibilities along with additional information.
- ___ **Attachment Two:** **SDRMA Board of Directors 2013 Election Schedule:** Please review this document for important deadlines.
- ___ **Attachment Three:** **SDRMA Election Policy No. 2012-05:** A Policy of the Board of Directors of the Special District Risk Management Authority establishing guidelines for Director elections.
- ___ **Attachment Four:** **Resolution for Candidate Nomination:** A resolution of the Governing Body of the Agency nominating a candidate for the Special District Risk Management Authority Board of Directors.
- ___ **Attachment Five:** **Candidate Statement of Qualifications:** Please be advised that no statements are endorsed by SDRMA. Candidate statements of qualification will be distributed to the membership with the SDRMA election ballot, "exactly as submitted" by the candidate.

Please complete and return all required nomination and election documents to:

SDRMA Election Committee
C/O Paul Frydendal, CFO
Special District Risk Management Authority
1112 "I" Street, Suite 300
Sacramento, California 95814

**SDRMA BOARD OF DIRECTORS
FACT SHEET**

SDRMA BOARD OF DIRECTORS

ROLE AND RESPONSIBILITIES

Special District Risk Management Authority (SDRMA) is a public entity Joint Powers Authority established to provide cost-effective property/liability, worker's compensation, health benefit coverages and comprehensive risk management programs for special districts and other public agencies and providers of municipal services throughout California. SDRMA is governed by a Board of Directors elected from the membership by the programs' members.

Number of Board Members	7-Board Members: SDRMA Board of Directors consists of seven Board Members, who are elected at-large from members participating in either program.
Board of Directors' Role	SDRMA Board of Directors provide effective governance by supporting a unified vision, and ensuring accountability, <i>setting direction based on SDRMA's mission and purpose, as well as establishing and approving policy to ensure SDRMA meets its obligations and commitment to its members.</i>
Board of Directors' Responsibilities	<i>Board Member responsibilities include a commitment to: serve as a part of a unified governance body; govern within Board of Directors' policies, standards and ethics; commit the time and energy to be effective; represent and make policy decisions for the benefit, and in the best interest, of all SDRMA members; support collective decisions; communicate as a cohesive Board of Directors with a common vision and voice; and operate with the highest standards of integrity and trust.</i>
Four (4) Seats For this Election	4-Seats: Elections for Directors are staggered and held every two years, four seats during one election and three seats in the following election. Four seats are up for election this year.
Term of Directors	4-Year Terms: Directors are elected for 4-year terms. Terms for directors elected this election begin January 1, 2014 and end on December 31, 2017.
Board Member Travel Reimbursement	Board Members are reimbursed for reasonable travel and lodging in accordance with SDRMA Board Policy Manual 2011-04 and applicable laws.
Number of Meetings per Year	8-Board Meetings Annually: Generally not more than one meeting per month, with an average of eight board meetings per year.
Meeting Location	SDRMA office in Sacramento, California.
Meeting Dates	Typically the first Tuesday afternoon and Wednesday morning of the month.
Meeting Starting Times	4:00 p.m. and 8:00 a.m.: Meetings are from 4:00 p.m. on Tuesday afternoon until 5:30 p.m. and Wednesday from 8:00 a.m. to noon.
Meeting Length	6 - 8 hours: Length of meetings on average.
Average Time Commitment	15 - 20 hours: Commitment per month.

"The mission of Special District Risk Management Authority is to provide renewable, efficiently priced risk financing and risk management services through a financially sound pool to CSDA member districts, delivered in a timely, cost efficient manner, responsive to the needs of the districts."

**SDRMA BOARD OF DIRECTORS
2013 ELECTION SCHEDULE**



2013 Election Schedule

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DECEMBER						
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TASK TIMELINE

- 1/9 Board approved Election Schedule
- 1/24-25 Mail Notification of Election and Nomination Procedure to Members in January
90 days prior to mailing Ballots (110 actual days)
- 5/03 Deadline to return Nominations
- 5/09 Tentative Election Comm. Reviews Nominations
- 5/15-16 Mail Ballots 60 days prior to ballot receipt deadline (103 actual days)
- 8/27 Deadline to Receive Ballots
- 8/29 Tentative Election Committee Counts Ballots
- 8/30 Election Committee Notifies Successful Candidates and Provides Them With Upcoming Board Meeting Schedule
- 9/18 Directors' Elect Invited to CSDA Annual Conf/SDRMA Breakfast/Super Session
- 10/29-30 Directors' Elect Invited to SDRMA Board Meeting
- 1/2014 Newly Elected Directors Seated and Election of Officers

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SDRMA BOARD OF DIRECTORS
ELECTION POLICY NO. 2012-05

Policy No. 2012-05

A POLICY OF THE BOARD OF DIRECTORS OF SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY ESTABLISHING GUIDELINES FOR DIRECTOR ELECTIONS, DIRECTOR APPOINTMENTS, AND CREATION OF A SUPERVISING ELECTION COMMITTEE

- WHEREAS, SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) is a joint powers authority, created pursuant to Section 6500, et. seq. of the California Government Code; and
- WHEREAS, the Board of Directors recognizes that it is in the best interest of the Authority and its members to adopt a written policy for conducting the business of the Board; and
- WHEREAS, establishing guidelines for Director elections and appointments will help ensure a process that is consistent for all nominees and candidates, will promote active participation by SDRMA members in the election/appointment process, and will help ensure election/appointment of the most qualified candidate(s); and
- WHEREAS, the Bylaws provide the Board with the option of conducting the election using a mail-in ballot process; and
- WHEREAS, the Board of Directors of SDRMA has an overriding and compelling interest in insuring the accuracy of the election/appointment process of its Board members through the creation of an election committee;

NOW, THEREFORE, it is the policy of the Board of Directors of SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY, until such policy shall have been amended or rescinded, that the following procedures shall be followed when conducting Director elections or filling a Director vacancy by appointment:

1.0. Election Schedule

- 1.1. Not later than the first Board meeting of each election year, the Board of Directors shall approve an election schedule based on the following criteria and time frames.

2.0. Election Committee

- 2.1. The Board of Directors herein establishes an election committee with the following composition, duties and responsibilities; The five (5) members of the Election Committee shall include two presently sitting members of the Board of Directors of SDRMA whose seats are not up for election, the Chief Financial Officer of SDRMA, and the CPA/auditor regularly used and retained by SDRMA at the time of counting ballots of and for an election to the Board of Directors. For good reason found and stated, the Board of Directors of SDRMA may appoint any CPA/auditor who, in the discretion of the Board of Directors, would appropriately serve the Election Committee. The General Counsel for SDRMA shall also sit as a member of the Election Committee with the additional obligation of providing legal advice to the balance of the Committee as legal questions may arise.

3.0. Member Notification of Election

- 3.1. Authority staff shall provide written notification, of an election for the Board of Directors, to all member agencies during March of each election year. Such written notification shall be provided a minimum of ninety (90) days prior to the distribution of ballots and shall include; (1) the number of Director seats to be filled by election; (2) a copy of this nomination and election procedure; and (3) an outline of nomination/election deadline dates.

4.0. Qualifications

- 4.1. A candidate seeking election, re-election or appointment to SDRMA's Board of Directors must be a member of the Governing Body or a full-time management employee of an SDRMA member participating in both the

Property/Liability and Workers' Compensation Programs. To qualify as a "full-time management employee," the candidate must be a full-time, management-level (as determined by the Governing Body) employee whose wages are reported to the IRS on a "W-2" form. Only one (1) representative from any Member may serve on the Board of Directors at the same time. [Per Bylaws, Article II, (2) (b)]

- 4.2. Each nominated candidate must submit a properly completed and signed "Statement of Qualifications" (required form attached) on or before the filing deadline in June in order for the candidate's name to be placed on the official ballot. A candidate shall provide responses to all questions on the candidate's "Statement of Qualifications". Each nominated candidate's "Statement of Qualifications" must be filed on or before the aforementioned deadline by (1) personal delivery to SDRMA's office; or (2) by U.S. mail received by the SDRMA office. When ballots are mailed to the membership, each candidate's "Statement of Qualifications" form will be distributed to the membership exactly as submitted by the candidate to SDRMA. However, any attachments submitted by the candidate(s) with the Statement of Qualifications will not be sent by SDRMA with the ballots to any members.
- 4.3. If a nominated candidate elects not to use the provided form "Statement of Qualifications," and prepares instead the candidate's own completed form, the candidate's form must include the title "Statement of Qualifications" and contain exactly all information required and requested by the provided form.

NOTE: The candidate's "Statement of Qualifications" form must be submitted as a part of the nominating process. When ballots are mailed to the membership, each candidate's "Statement of Qualifications" form will be distributed "exactly as submitted" to SDRMA, except that any attachments submitted by the candidate will not be sent to any SDRMA members.

- 4.4. A candidate that does not submit a Candidate's Statement of Qualifications which complies with Section 4.2 or 4.3 will be disqualified by the SDRMA Election Committee.

5.0. Nominating Procedure

- 5.1. Candidates seeking election or reelection must be nominated by action of their respective Governing Body. Only one (1) candidate may be nominated per member agency and one (1) candidate shall not represent more than one (1) member agency. A resolution from the candidate's district/agency Governing Body nominating the candidate must be received by the Authority on or before the scheduled date in June. (A sample of the resolution is enclosed). Actual receipt by the Authority on or before the scheduled deadline date in June is required. The resolution nominating the candidate may be hand-delivered to the Authority or sent by U.S. mail. In the event a candidate is nominated by two (2) or more member agencies, he or she shall represent the member agency whose nominating resolution is first received by the Authority. The other member agency or agencies that nominated the candidate shall be entitled to select a replacement nominee as long as a resolution nominating the replacement is received by the Authority prior to the scheduled deadline date.
- 5.2. A member may not nominate a candidate unless that member is participating in both the Property/Liability and Workers' Compensation Programs and is in "good standing" on the date the nominations are due. "Good standing" is defined as no accounts receivable more than ninety (90) days past due.
- 5.3. The Election Committee, as hereinabove defined and comprised, shall review all nominations received from members and will reject any nominations that do not meet all of the qualifications specified and set forth in this policy. Following the Election Committee's review of all nominations, the Election Committee shall direct that a ballot be prepared stating and listing all of the qualified nominees. The ballot of qualified nominees shall be distributed to the membership for election by mail as described below.
- 5.4. Upon verification or rejection of each nominee by the Election Committee, staff will mail acknowledgment to both the nominee and the district/agency of its acceptance or rejection as a qualified nominee for election.

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- 5.5. A nominee requesting that his/her nomination be withdrawn prior to the election, shall submit such requests in writing to SDRMA's office a minimum of three (3) days prior to the scheduled date for mailing the ballots. After that date, all qualified nominees names shall appear on the ballot mailed to the membership.

6.0. Terms of Directors

- 6.1. The election of directors shall be held in each odd-numbered year. The terms of the directors elected by the Members will be staggered. Four directors will serve four-year terms, to end on December 31 of one odd-numbered year. Three directors will serve four-year terms, to end on December 31 of the alternate off-numbered year. [Per Bylaws, Article II, (3), paragraph 1].

7.0. Campaigning

- 7.1. SDRMA staff will mail each qualified candidate's "Statement of Qualifications", "exactly as submitted" by the candidate with the ballots to the membership.
- 7.2. Candidates, at their own expense, may distribute additional information to member agency(s) after the ballots have been mailed and prior to the election.
- 7.3. SDRMA staff is prohibited from actively promoting a candidate or participating in the election process while on Authority premises.
- 7.4. SDRMA staff may provide member information, mailing lists, financial reports or operational data and information, that is normally available through the Public Records Act, to candidates to assist them in their research and campaigning. In addition to obtaining such information under the Public Records Act, candidates may request SDRMA staff prepare mailing labels for the distribution of campaign materials to member agencies. Under existing policy, charges will apply for this service. The SDRMA logo is trademarked for use by SDRMA only. Neither the logo, nor any other Trademark of SDRMA may be used in any campaign literature. No campaign literature is to imply support of any candidate by SDRMA.
- 7.5. SDRMA election mailings to the membership, including ballots and candidates' "Statement of Qualifications", shall be sent via first class mail.

8.0. Limitations on Campaigning

- 8.1. As used in this section the following terms have the following meanings:

"Campaign Activity" means any activity that expressly advocates the election or defeat of a candidate or provides direct support to a candidate for his or her candidacy. "Campaign activity" does not include the incidental and minimal use of public resources, such as equipment or office space, for campaign purposes or the use of public resources to nominate a candidate or vote in any Board of Directors election.

"Candidate" means an individual who has been nominated by the Member Agency to have his or her name listed on the ballot for election to the Board of Directors.

"Expenditure" means a payment of Member Agency funds that is used for communications that expressly advocate the election or defeat of a clearly identified candidate. "Expenditure" does not include the use of public funds to nominate a candidate or vote in any Board of Directors election.

"Public resources" means any property or asset owned by the Member Agency, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and Member Agency-compensated time.

- 8.2. An officer, official, employee, or consultant of a Member Agency may not expend or authorize the expenditure of any of the funds of the Member Agency to support or oppose the election or defeat of a candidate for the Board of Directors.
- 8.3. No officer, official, employee, or consultant of a Member Agency shall use or permit others to use public resources for campaign activity.
- 8.4. At any time during an election campaign, if a Member Agency or its officers, officials, employees or consultants violate this section, that Member Agency shall be ineligible to nominate a candidate for the Board of Directors election in which the violation occurred. Any candidate of an offending Member Agency shall be deemed to have withdrawn his or her candidacy. Prior to declaring a Member Agency ineligible to nominate a candidate or a specific candidate's candidacy withdrawn, the Elections Committee shall hold a hearing to determine whether or not a violation of this section occurred. The hearing shall be conducted pursuant to reasonable procedures that the Elections Committee shall prescribe, provided that the affected Member Agency or candidate shall have an opportunity to dispute the violation. At the conclusion of the hearing, the Elections Committee shall determine by a majority vote whether the violation occurred.

9.0. Balloting

- 9.1. A ballot containing nominees for the Board of Directors, accepted and approved by the Election Committee, shall be mailed by first class mail, to each SDRMA member agency, except as provided in Section 9.2 below, no less than sixty (60) days prior to the deadline for receiving ballots and the closing date for voting. Ballots shall show the date and time the ballots must be received in SDRMA's office. A self-addressed, stamped, return envelope shall be mailed with each ballot.
- 9.2. In the event that the number of qualified/approved nominees is equal to or less than the number of director seats up for election, the mailing of the ballots as outlined in Section 9.1 shall be waived.
- 9.3. Only those qualified nominees approved by the Election Committee will be eligible candidates on the ballot. Write-in candidates shall not be accepted.
- 9.4. It is required that the Governing Body of each member vote on behalf of their agency (sample Resolution enclosed) and the ballot MUST be signed by the agency's Presiding Officer.
- 9.5. A member may not vote unless the member was a member of the Authority in "good standing" on or before the nomination due date for the pending election. "Good standing" is defined as no accounts receivable more than ninety (90) days past due.
- 9.6. A member may cast only one (1) vote for the same candidate. By way of example, if there are four (4) candidates on the ballot, a member may not cast two (2) to four (4) votes for any single candidate. Any ballot casting more than one (1) vote for the same candidate will be considered void.
- 9.7. A member may vote by using the official ballot provided by SDRMA, or a copy of SDRMA's original ballot, or a reasonable duplicate prepared by the member agency. Whichever of the three foregoing formats is used, the ballot must contain an original signature and confirmation that the ballot was approved at a public meeting of the agency's Governing Body. Ballots submitted without an original signature and/or without confirmation that the form of the ballot was approved at a public meeting of the agency's Governing Body will be considered void.
- 9.8. Ballots may be returned using either hand-delivered or mailed in ballots - faxed or e-mailed ballots will not be accepted. Mailed in ballots must be addressed to, and hand-delivered ballots must be delivered to, the Special District Risk Management Authority office presently located at 1112 I Street, Suite 300, Sacramento, California 95814-2865.
- 9.9. Any ballot received after the specified deadline will not be counted and will be considered void.

10.0. Election Results

- 10.1. All ballots will be opened and counted at SDRMA's office only after the deadline for receiving ballots. Ballots will be opened by SDRMA's Election Committee, no more than five (5) days after the closing deadline. Candidates receiving the highest number of votes shall be declared the elected director(s).
- 10.2. In the event of a tie, a coin toss shall be used to determine the elected director. The coin toss shall be conducted by the Election Committee at the time and place of the conclusion of counting ballots.

PROCEDURE: In the event more than two (2) candidates tie, the coin toss shall be between two (2) candidates at a time based on the order in which their name appeared on the ballot. This process shall be repeated, as needed, in cases where there are more than two (2) candidates.
- 10.3. Excluding tie votes, within five (5) days after the ballots are opened and tabulated Authority staff shall advise the candidates and their respective agency in writing of the final election results. Copies of the results shall also be mailed/distributed to SDRMA's Board of Directors, staff and consultants and published in the first available CSDA newsletter.
- 10.4. If a director-elect withdraws after the election or fails to accept the Director seat prior to December 31, the Board shall name a new director-elect by going back to the ballots and awarding the seat to the candidate receiving the next highest number of votes during the election.
- 10.5. Staff shall invite newly elected director(s) to attend the Annual Membership meeting and all scheduled Board meeting(s) after confirmation of election results until the director(s) elect assume office. Director(s) elect will be reimbursed for expenses, except for director stipends, in accordance with approved director reimbursement policy (copy of policy shall be provided to newly elected directors).
- 10.6. A member or candidate dissatisfied with the election result may, within ten (10) days after the ballots are opened and tabulated, file with the Authority a written challenge and appeal. The challenge and appeal must clearly set forth the complaint and any and all facts in support of the challenge and appeal. Within ten (10) days after the ballots are opened and tabulated, the challenge and appeal shall be delivered and received by the Authority. Within five (5) days of receipt of the challenge and appeal, the Authority shall deliver the same to the Election Committee for decision. The Election Committee shall have absolute authority for deciding the challenge and appeal. Notice of the decision of the Election Committee shall be provided to the party filing the challenge and appeal within ten (10) days.

11.0. Director Vacancy

- 11.1. If a director vacancy(s) occurs (Note 1), appointment of a replacement director for the balance of the unexpired term will be made by the remaining members of the SDRMA Board. In order to accomplish this in an orderly and consistent manner, when a vacancy(s) of an elected Director(s) occurs, the SDRMA Board of Directors, after discussion and consideration, shall, when deemed appropriate, instruct staff to:
 - a) notify all then member entities that a vacancy has occurred; and
 - b) said notice shall refer to the applicable Article in the By-laws in advising member entities and their eligible candidates of the steps to take to apply for appointment; and
 - c) the SDRMA Board shall establish the closing date for the receipt of applications; and
 - d) candidates shall submit the following, by the date specified in the notice:
 - i) a letter of interest; and
 - ii) a resume, with particular emphasis on the candidate's knowledge of special districts and risk management; and
 - iii) a resolution from, or a letter approved by, the candidate's Governing Body nominating the candidate; and
 - e) the Election Committee shall review all applications received, and shall reject any that do not meet all of the qualifications specified and set forth in this policy; and

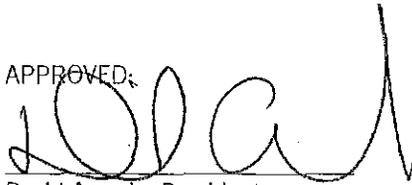
- f) upon verification or rejection of each application by the Election Committee, staff will mail acknowledgement to both the applicant and the district/agency of its acceptance or rejection of the applicant as a qualified candidate for appointment; and
- g) candidates shall be interviewed at the next regularly scheduled meeting of the SDRMA Board of Directors following the date of closure for the applications. Interviews shall be in person, or if an unforeseen emergency arises, the interview may be by telephone at the same scheduled time; and
- h) the SDRMA Board shall make the appointment without undue delay, but need not act at the same meeting.

Note 1: If the Director vacancy occurs within nine (9) months after the date the ballots were counted and certified by the Election Committee or within nine (9) months after a candidate was appointed to fill a vacancy, then the Board shall have the option to interview and appoint the candidate(s) who did not receive sufficient votes to be elected OR to interview and appoint from the pool of candidates from 11.1.g) above. If the Director vacancy occurs in an election year after the Notification of Election is sent to the members, the Board may determine to fill the vacancy by appointing the candidate who receives the next highest number of votes in the election. If the Board determines in its sole discretion that none of these options is appropriate, then staff shall be instructed to proceed with the process described above in steps 11.1 a) to h).

Revised and adopted this 27th day of June 2012, by the Board of Directors of Special District Risk Management Authority, at a regular meeting thereof.

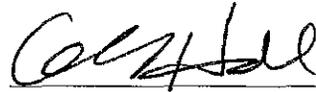
This policy rescinds the previous version of Policy No. 2011-02 which was approved on February 2, 2011 and all other policies inconsistent herewith.

APPROVED:



David Aranda, President
Board of Directors

ATTEST:



Gregory S. Hall, ARM
Chief Executive Officer

**SAMPLE
RESOLUTION FOR
CANDIDATE NOMINATION**

Available for download in Microsoft Word file format
visit our website at www.sdrma.org

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**[AGENCY NAME]
RESOLUTION NO.**

**A RESOLUTION OF THE GOVERNING BODY OF THE [AGENCY NAME] NOMINATING
[CANDIDATE'S NAME] AS A
CANDIDATE FOR ELECTION TO THE SPECIAL DISTRICT RISK MANAGEMENT
AUTHORITY BOARD OF DIRECTORS**

WHEREAS, the Special District Risk Management Authority (SDRMA) is a Joint Powers Authority formed under California Government Code, Section 6500 et.seq., for the purpose of providing risk management and risk financing for California Special Districts and other local government agencies; and

WHEREAS, the Joint Powers Agreement (JPA) and Bylaws of SDRMA set forth director qualifications, terms of office and election requirements; and

WHEREAS, the Board of Directors of SDRMA established procedures and guidelines for the Director Election process; and

WHEREAS, the Board of Directors of SDRMA established a policy requiring candidates seeking election to the SDRMA Board of Directors to be: 1) a member of the agency's governing body or full-time management employee per SDRMA Election Policy 2012-05, Section 4.1 and be an active member agency of **both** SDRMA's property/liability and workers' compensation programs, and 2) be nominated by resolution of their member agency's governing body, and 3) each nominated candidate must submit a completed and signed "Statement of Qualifications" on or before the May 3 filing deadline in order for the candidate's name to be placed on the official ballot.

NOW, THEREFORE, BE IT RESOLVED:

1. The governing body of [AGENCY NAME] nominates [CANDIDATE'S NAME], its [POSITION TITLE], as a candidate for the Board of Directors of the Special District Risk Management Authority.

2. [ONLY IF CANDIDATE IS NOT A MEMBER OF THE AGENCY'S GOVERNING BODY: The governing body of [AGENCY NAME] has determined that [CANDIDATE'S NAME] is a full-time management employee for purposes of SDRMA Election Policy 2012-05, Section 4.1].

3. The governing body of [AGENCY NAME] further directs that a copy of this resolution be delivered to SDRMA on or before the May 3, 2013 filing deadline.

ADOPTED this [DATE] of [MONTH/YEAR] by the Governing Body of [AGENCY NAME] by the following roll call votes:

AYES:	<u>[LIST NAMES of GOVERNING BOARD VOTES]</u>
NAYES:	"
ABSTAIN:	"
ABSENT:	"

APPROVED

ATTEST

President – Governing Body

Secretary

CANDIDATE'S STATEMENT
OF
QUALIFICATIONS

Available for download in Microsoft Word file format
visit our website at www.sdrma.org

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

What is your overall vision for SDRMA? (Response Required)

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature _____ Date _____

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