

# DRAFT, informational

Kensington Police Protection and Community Services District Board of Directors

59 Arlington Avenue, Kensington California

## Minutes for Regular Meeting

Thursday, August 9, 2018

### Call to Order/Roll Call 6:30 pm. - Special Meeting: Closed Session

Present: Director Deppe, Director Hacaj, Vice President Nottoli, Board President Sherris-Watt, Director Welsh

Staff: General Manager, Tony Constantouros; Ann Danforth, General Counsel

Consultants: Bob Deis, Public Management Group

### Public Comments

None

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to California Government Code § 54956.9(b)(3)(A) (two cases)**

The Board had nothing to report out from the Special Meeting.

### Public Comments

**Rodney Paul** came to talk about the Public Paths in Kensington. Many of us are concerned about the future of these paths and their important potential for safety. This is especially relevant right now during this terrible fire season that we're having in California.

Our governor is saying this isn't near normal. We really need to think of these paths as an important safety resource in our community. They could be a way for people to evacuate from the upper areas of Kensington and also could be very important for our fire and police personnel to access areas that could be blocked from traffic. Berkeley recently had a very large mapping and survey event and they went through all the paths in Berkeley looking for things that needed to be improved to become safer for egress. I think we really need to follow their example and take these paths very seriously as a resource available to us.

Now, the paths have not been owned by anybody since their inception, were created in the early 1900s. There was an effort to turn them over to county, that never went through. They've been in limbo all these years and as a result, some property owners have taken them over. The Kensington Improvement Club of which I am a member and I sit on the board of that does work parties to clear the paths, to sweep them up, to do weeding has led this effort.

It's a great asset to our community, and we're doing this, but a few years ago, somebody tripped on one of the paths, on the Ardmore path, and KFC got sued over this, the adjacent Property owners, other public agencies, this including yourselves were sued for this. KFC actually had to pay the largest amount with the settlement that was reached.

To me, it seems really unfair that volunteers pour into this out of the goodness of their heart maintaining these paths, where the ones that had to pay the amount. I will say KFC had insurance, it did come from the insurance but this isn't a way to really maintain these paths.

We really need to solve this issue. I'm just telling you this as information. I'm working with Lucy Cerrone and Mark Altenberg. We're just trying to create an effort to find a solution that would work. Working with the county, with KPPCSD and AFD. I just want to let you know that's going on and this is something that's of a great concern to many of us in Kensington.

**Paul Dorroh** asked a question about the policy manual: I had to resort to the district website and a policy manual, which is listed there on, which I'd assume is still the enforced policy manual. Although, if you read up it says that it's under revision. If there are revisions, that affect this, I don't see them so somebody can let me know. I'd appreciate it. Anyway, the point of my comment is this. In the Policy Manual, Section 2010, there is a provision that has to do with personnel in the district. It specifies that there shall be a, "Administrative assistant/district secretary and Kensington park administrator, one person.

That position currently has an incumbent, and I understand that item seven A on the agenda has to do with reorganizing that position and perhaps creating others. It strikes me that these are now two amendments of the policy manual. If I'm mistaken, let me know. Section 5020 point 10 says that, "In order to consider adopting or amending any policy, directors shall have the opportunity to review the proposed adoption or amendment at a regular board meeting prior to the meeting at which consideration for adoption or amendment is to be given."

The basic report here was dated July 11th. There was no regular board meeting in July 11th. Therefore, the material on the agenda by definition, cannot have been considered at the regular meeting prior to this meeting. Therefore, I think that it is improper to have approval and implementation on the agenda.

President Sherris-Watt said: In fact, the Park Administrator {position} has been separated in the past. The job descriptions that are listed in our policy manual are not correct with what is currently happening in the District.

**Vice President Nottoli** said we should rectify the inconsistency.

**Peter Liddell (with Katie Gluck):** We are the Kensington Public Safety Council. I'm here to talk about the Local Hazard Mitigation Plan. I would like to point out that it doesn't require any financial or reporting commitment from the District. It simply shows as a county and the state and FEMA that we've analyzed risks for potential hazards and prioritized them in terms of severity and likelihood. An approved LHMP will allow us to apply for grants.

The Fire District approved their hazard mitigation plan, months ago. We're now, here requesting that the approval of the KPPCSD Local Hazard Mitigation Plan be agendaized for approval at the September 13th board meeting.

**President Sherris-Watt** asked Peter Liddell: You said that approvals would allow us to apply for grants. What does that mean, us to apply for grants?

**Director Welsh** answered: The district, right? Can he explain that a little bit? Peter or somebody, what's the grant potential?

**A Stevens Delk** said: This is actually the first regular meeting in two months. Yet there was no consent calendar or approval of past minutes. The last approved minutes were for March 8th. There was no monthly packet with the profit and loss but Ricky has provided handouts for the police statistics for the last two months.

There was a 1 pm special meeting last week to attend to business originally scheduled in July. I was unable to attend but the agenda stated that it would be audio and video recorded. It was not. Was any recording made or minutes taken, and if so, when will they be made available? I realize that directors have been on vacation and that it was not possible in July to hold either regular meeting because a quorum of three directors could not be managed.

I do not think it is reasonable to expect that unpaid directors should coordinate their vacations and personal businesses well in advance to ensure that there are regular meetings on the second and fourth Thursday of every month. However, counting tonight there have been only 9 of 15 regular meetings this year.

It seems to me that the board should do better or perhaps go back to one regular meeting a month. I know that later tonight you will cancel the August 23rd meeting. Will you make sure that at the next meeting in September, you catch up on minutes of past meetings and monthly reports?

In another matter, during the last several weeks I have stopped by the district office numerous times but it has not been opened although the sign indicates the hours are nine to four. It also says, ring the doorbell and if no one answers pick up the red phone to connect to dispatch. I assume that is the Albany police dispatcher, which certainly would not have been appropriate in my situation.

I did ring the doorbell on two occasions and each time a Kensington officer came to the door. It would be better if our scant number of police officers were on patrol not answering the door at the district office. At a minimum, the sign needs to be changed to provide better information.

## **Board/Staff Comments**

**Vice President Nottoli:** Those of you who drop off kids on the North end of Hilltop school there's going to be some changes on the signage once the county can attend to it. They're waiting for signs apparently, you will no longer be able to park on Highland. That's going to be for drop off only.

On Arlmont, you will be able to park, to walk your child to the school. They're also going to implement some changes on the crosswalk at Coventry so that cars coming right from Arlington will have to go a little bit slower. It will take a little bit more time to do a proper cross walk there, but they're working on that.

With respect to an issue that was brought up at a recent fire board meeting for those residents that are on cul-de-sac streets like York and Windsor. If you want to gather your neighbors and agree that the parking should be on the side of the street that will allow all your cars to be facing out instead of into the cul-de-sac, the county is willing to work with you to make that change, if the neighbors want those changes made.

**Director Hacaj:** The process for the community center renovation just took another step forward, there was a bit of a hold up at the county and they required the plans to go in front of the KMAC Board which happened July 31st and it was recommended for approval and moved on to the County.

Things are happening and at the moment we are thinking that we won't be using this space after November 1st, but that situation is very fluid and we're going to continue to keep in touch with the groups that use the center. We've been talking about this for quite a few months and letting folks know they would need to think about alternative spaces.

**Director Deppe** said: On September 20th [Director Nottoli] and I are hosting a community traffic meeting that will be here 7 to 10 pm. We're going to have a representative from the County. The purpose will be two-fold at least, to give citizens a chance to hear from the County and state police and to understand where the responsibilities lie. We get questions all the time about, you need to put a stop sign here, who is controlling this about traffic.

**Director Welsh:** I should give an update on one little issue. Fire board meeting before last, I went to the board and asked them to consider working with us jointly to fund the signs and retro fit part of the upgrade of this community center. My reasoning was that avoiding an emergency would require their response such as the building collapsing, earthquake is much within their mandate as it is within ours.

I said it would be nice if we can come up with some sort of meeting to discuss how we might work together to fund this community center upgrade and in the manner most effective as far as spending the taxpayers' money is concerned. I expect those discussions to continue. I got a pretty good reception from them and I'll provide further updates as those discussions.

**Chief Hull:** First I'd just like to acknowledge the District's participation in National Night Out, we had a total of nine parties. I was able to attend seven of them and they all had a very enthusiastic crowd. I would like to acknowledge everyone's participation in that. I also want to

acknowledge Officer Wilkens. She coordinated the National night out event, this year and last year, and they have all been successful.

In October, we are going to start a Coffee with a Cop program. The first Wednesday of October is National Coffee with a Cop day. You'll be receiving a Nixle notice and possibly an email.

About recruiting: We have two individuals that are still in the background process. The Alameda Sheriff's Department will conduct backgrounds on our applicants. I was contacted by another person who expressed interest. So hopefully we'll have a third that will put in an application.

You will see in the Police Department's statistical data that I handed out from the last two months. You will see that on the issue of traffic enforcement. You will see how the numbers have been shrinking downward. I had an administrative meeting concerning those numbers. There are several things that are at work here.

One of them is we are having officers who are still out doing patrol. Mileage on the cars, and the gas bills reflect that. Some traffic stops are being conducted but are not being captured in the cam. That's up to the administration to fix. The numbers reflected in these statistics are low. They are extremely low. That will be fixed going forward, you should not see this again.

The District has a budget for ten sworn positions. We currently have seven sworn positions full, and we have three sworn positions open.

**Linda Spath:** Is the Albany Dispatch fully implemented now, up and running and everything's in-place where it should be?

**Chief Hull:** The Albany dispatch system is fully up and running and its fully implemented. However, there are still a few glitches in the system that we're trying to work-out. The biggest one has to do with the MDT's, which are the mobile computers inside the vehicles. They work on cellphone air cards, and in the hills the connections spike. They don't always work as they should. We're still working that out.

### **Administrative Study. Administrative study approval and implementation.**

#### **Presentation by Bob Deis.**

**Tony Constantouros:** I have been General Manager a little over a year here at the District. When I first started, I didn't notice that there were some inefficiencies in the organization. I wanted time to review the organization.

In time, I noticed that these inefficiencies included staff. There was insufficient staff at the District to do all the functions that the Board wanted. The Board was filling in to do that work. I also noticed as a result some key functions in the organization were not being completed. I called on Mr. Deis to do an independent review and to see if these observations conformed to my view point or what suggestions he had.

I'm the first generalist manager in the district. I think the district in the past has had police chiefs that had administrative functions but no experience as a general manager, as a generalist

manager. In fact the amount of time that, I'm sorry to say this to your embarrassment. I think together [he and Bob Deis], we have about 75 years experience.

Part of that experience is that we form our own independent opinions and viewpoints. We sometimes don't always agree with the board but that has been the case with me. These are my independent opinions and viewpoints, they are my recommendations.

I think that the internal organization is really largely invisible to the general public. As long as work is getting done they really don't see it. I can tell you as a manager that it is the foundation of a good organization. Without the foundation, without the proper staffing, the proper allocation of duties, things go a little hay-wire. Things don't get done. Things get misplaced. It just happens that Kensington does not have excellent foundation.

We invited Mr. Deis to make presentation. He did present earlier in November in his initial findings. This is not the first time we've discussed this. We've been reviewing this for the past year.

**Bob Deis:** As the general manager mentioned he had some initial observations and asked me to do a high-level review and then I report it out to your board in November my findings. As Tony mentioned, this is the first general manager. It's always been Police Chief/General Manager. In order to get a seasoned experienced general manager, you had to pay a labor market competitive wage. Quite frankly it's on the lower side of the continuum, but I think it's competitive.

General manager shows up and he's quickly finding himself just mired transactional details. He's finding it more and more difficult to stay within those part-time parameters. He's also concerned about the things that weren't being done and haven't been assigned. And concerned about scope, not wanting to go full-time.

He asked me to take a look, evaluate how duties are distributed. I did that and reported it in November [2017]. I want to give you, just to repeat the highlights very quickly. I deal with a lot of jurisdictions that have issues they're dealing with, up and down the state. I've developed a model to explain to the public

There are really three building blocks in the public agency. The first building block, which I think separates public agencies compared to the private sector is because of transparency. Everybody sees and knows by and large what the district does. How you conduct business is very critical. It's not just what you accomplish. It's how you accomplish it. Your ethics, your standards, how you manage the finances, how you hire people, board direction, general manager direction, the ethics of the corporation, the public agency. That's all part of that first building block. If you fail at that then you fail at everything else. That's got to be in place.

The next building block is your services. You're guided by the services that public agencies provide. The third level is what I call innovation and managing the future.

Turning on a high engine in a car and looking out ahead and seeing what's ahead around the corner and you start developing strategies to meet that future demands. Some examples of looking ahead for you that's in the top of that building block is police services and how best you

provide police services, probably for the next generation or two. Rebuilding this Community Center. Those are all strategic issues. High risk issues.

All three [tiers] have to be functioning pretty well to be a good public agency. What does a general manager do in all this? The GM makes sure that first building block is in place. If he doesn't do it somebody else does it. The next building block he spends more time in and that's holding service providers accountable, and making sure quality services are being provided.

The third building block, high-risk issues, innovation for the future is in with both feet. That's what a general manager does. The goal of this project was to go back to that base level and make sure that stuff is in place.

Back in November, part of phase one, interviewing folks, confirmed that the General Manager is consumed with minutiae. The job descriptions of our employees are either out of date or very informally developed, on occasions employees themselves modified them. Typically, what happens is they're done by a third party and goes to the board to be approved. The District Administrator was consumed with minutes, taking minutes, managing a typical payroll and other clerical duties. Not an effective use of the District Administrator's time.

Then there were some other roles that were not probably not fulfilled as much as they should. Professional clerk of the board function, managing your assets in a professional way, managing your IT, your technology. That wasn't centralized. In solid waste - holding the vendor accountable. That's something's being done by a Board member and citizen volunteers.

Being more proactive with your parks and recreation goals and public information, engagement, was not being done with as much quality as I think the community wants.

Then there was professional fiscal management and professional human resource support where it was being done very ad hoc. The General Manager was bringing in consultants to help him with the finances, which is a very expensive way to deal with it.

In that November, I suggested three things, three initiatives. One is to develop new job descriptions, to memorialize responsibilities and duties and write job descriptions using human resource best practices to develop those job descriptions. That's the purpose of today's meeting is reporting out on the results of that. The other two are in process, one is doing a review of our human resource practices that will come back openly to your board. The third one is updating the policies, policy management, which is grossly outdated.

Phase two. In our firm, we have a bunch of human resource consultants. HR consultant interviewed employees to understand their duties, how much time it's taking out of their day. He developed job descriptions using HR practices where you combine duties with similar skill sets needed to perform those duties. A clerical person gets clerical duties, a higher paid person gets managerial duties, and so putting together like duties that require like skill sets.

He also assigned those roles that were not being full filled that we talked about in phase one. He wrote job descriptions to provide some flexibility. Then, as we perform the salary survey and

kind of do an estimate of what I think it would take to fulfill these positions, then provided employees the opportunity to read the report and provide comments.

This is reflection of professionalizing the district. It has nothing to do with employee performance. Employees were very helpful with this project. I think the employees are doing the best they can given the resources and restraints and the change in management that's occurred in the District.

The first change is in the **Police Services Specialist**. Most of her responsibilities are supporting the Chief and the police department with records evidence management, coordinating an extensive training program for sworn officers, tracking reporting crime statistics, dealing with inquiries via phone, email, or in-person. She also did some administrative duties: scheduling community center, collecting fees, scheduling maintenance staff for district facilities. The only change we're recommending is pulling away the general administrative support duties and giving it to somebody else, so this person is focused strictly on the responsibility of police support.

The next position would be a new position, the **District Clerk of the Board**, very common in public agencies. The district clerk of the board provides professional support to the board, committees, and general manager. Ensures meetings are in conformance with state law, minutes taken, public facilities and AV equipment are adequate and ready, files agendas, ensures board action is followed up. After you take action, increase and manage the district central file system.

This role, the clerk of the board role, has become very professionalized. There's an association called in California, they actually have credentialing programs for the district clerks. It's a profession now. I think that's the kind of background I think will serve you well.

Right now, the clerk of the board duties are spread among different people. Part of the duties are done by the District Administrator, part of them - unfortunately - are done by the Board and sometimes are done by the General Manager. We think a lot of that should be consolidated in one person. One area that we are concerned about is your filing system. That is probably not being managed as well as I think you should have. The recommendation is to consolidate all these duties under one position. If you contract out the minutes, which we think you should, then the workload of this position will probably be about 50%.

The next position is the **Office Assistant**. It would be a new position that would assume the clerical duties handed over from the police services specialist and would assume some of the clerical duties around the district administrator position. I think because the compensation for office assistants is much less, it would be a very cost-effective way for you to provide these services. Our estimate is about 25 hours a week or 63% of the new position.

The next is the **District Finance and Business Manager**. I think that the district would benefit from a higher level of expertise in the area of finance and operations of a public agency. Things like budget development and control. I saw the recent budget you adopted, and I think that's huge improvement from what you have in the past. With a position like this, you would have even more.



Somebody with some debt management skills, debt placement, etc., would be important. Information technology, there's all these different contracts, different vendors having pieces. They need to be coordinated and consolidated under one person. Somebody that is very comfortable with accounting and payroll systems. You should not be doing payroll by yourself.

Some of these duties are being done ad hoc by the general manager, consultants, and volunteers. I think it should be done by this position. I think it would be a good succession strategy. It might be the next general manager if you hired somebody part-time. It's going to reduce consulting costs, it'll supervise the office assistant. This frees up the general manager to do those high-level duties that we talked about. I think this position would be roughly 30 hours a week, maybe even less once things stabilize.

There was a discussion about the policy manual. It's just full of outdated stuff. There's is no job description. There is no reference to a general manager. The parks manager, parks administrator, district secretary. We don't know of a classification called that. There's MOU's in there. There's just a ton of things that are outdated, and as you know, you're updating those things.

We're creating a job description for the general manager. Up until now, the general manager's job description unstated was, "He does everything nobody else does." Besides pursuing board priorities, representing the district with stakeholders, and overseeing staff. This person would be responsible for asset management, solid waste oversight, all these things that I said were not getting done with qualities we can. You get this when you free up his time from the minutia.

Setting compensation and estimated cost. It's essentially salary and a very nominal state and federal mandated benefits. I surveyed neighboring cities and special districts. What we came up with was just suggesting that the clerk of the board, we should offer \$40 per hour. That was the average survey. Office assistant \$23/hour, district finance and business manager \$62/hour.

District finance and business manager, we can't afford a CFO. They make as much as the general manager if not more, so I compared it to accounting supervisors, controllers or management analyst. That's who I compared to and came up with \$62, as the average. The total costs of the new positions would be \$180,200. They're offset by savings.

The savings would be the elimination of the district administrator position, reduction of the police specialist hours, reduction of the finance consultants, reduction of various other consultants and saving's 170,000, so the marginal cost is an increase of \$10,000. That's a good, I think a good investment for the quality you're going to get with district operations.

**President Sherris-Watt** asked: Why did you put minute-taking with the office assistant, or do you think that that is a separate skill-set?

**Bob Deis:** There are people that specialize in that type of activity, and I think you could contract that out and I think it could be very, very efficient for you.

**General Manager:** It really is or there is very light traffic into the office. When people show up, they do want immediate help. It is possible that you split them under several positions and have it someone is present at all times, rather than have that be one person.

**Director Hacaj:** There's confusion over forward action or direction and that, I believe, is very important part of the Board's responsibilities. There's no clear action step as to who's responsible for taking the next step sometimes.

As long as we are directly managing our own police force, I think it's an important point, which is really different from other districts, we need in a general manager who has overseen a public safety agency. Most district managers don't have that experience, city manager's do.

**Director Welsh:** There is some understanding with some of the community that this is an attempt to get rid of people who are currently employed and replace them with other employees. Are you proposing that or are you proposing restructuring the positions that might accommodate them?

Bob Deis: I don't participate in projects that are designed to get rid of people. I just don't participate in that kind of game. What I do participate in is making public agencies more effective, cost-effective, but in higher performance and they're more accountable to their residents. This was about making the district better and using my professional input as well as people from my firm, and putting together the duties that I think best meet the needs of Kensington.

One of the things that has been instilled in me by my mentors many years ago, and I will cough up to almost 50% of that 75- years of experience figure that the general manager mentioned, is it's about the people, it's about the business, it's about standards. If you start playing games with the organization, either modifying them to get rid of people or the opposite of that, designing it around to keep people based on personality, those are those hallmarks for the organizations that come and ask for me to help them out, they ultimately get into trouble, so who is the latter of those two options.

**Director Welsh:** To be specific, would it be possible for our current employees to apply for these positions?

**Bob Deis:** Absolutely. I can't speak to qualifications because I don't have that. I haven't done that work. I can't speak to their qualifications. Our recommendation would be for them to block, absolutely.

**Director Welsh:** One other thing. In your vision of how the GM and the police chief would operate under this new structure, historically, there has been a lot of interaction between the police chief/GM and the public. People call up a lot with issues, people ask for meetings with issues, and I don't actually know how that has been going during the past year, but do you see a significant portion of their duties involving that kind of direct interaction with the public?

**Bob Deis:** I think the General Manager should be expected to interact with the public. A police chief should be expected to interact with the public. The benefit of having a generalist general manager is that you've got more capacity for the district to do just that, to interact with the public. Then, if somebody has an issue with the police department, they have one extra level to talk to. I think they both should be doing a lot of outreach.

**Director Welsh:** Okay, that's what I was getting at, this is designed to for the, I'm sorry to go on and on about this, but it's designed for the unique characteristics of this community. The way I see the unique characteristics of the community, is that the citizens expect a lot of interaction with the top brass, and more so, perhaps, than others that are more institutionalized, and put layers in between individual citizen, and the person perceived as making the decision.

I just want to say thank you, I think the report is excellent. I think you've done a wonderful job, and it's very helpful.

**General Manager:** Several employees are impacted, either directly or indirectly, and we want to be sensitive to the employees, and work with the employees in this process. Change is very difficult in organizations, this is not an organization that has experienced much change, and certainly not dramatic change. We want to work with everybody on that.

The job descriptions are broadly written, they offer substitutions, for example, on the clerk position that does indicate to have a certified municipal clerk designation, or it gives another path to qualify. There are several paths of qualifying, there isn't one, specific, only requirement. I think that a number of people would qualify, including the possibility of current employees also.

I don't know everyone's background off-hand, but they're written very broadly. I'm used to working in that situation. On city clerk, I've had a number of city clerks that have worked for me. Most of them have not had that certificate when they started. They gained it later by training and by going to various sessions. It's not uncommon not to have it and get it later.

## **Public Comments**

**President Sherris-Watt:** I wanted to take a quick show of hands to see how many people were hoping to speak. We'll just ask you to keep your comments to the time limit, and also, please, to just come up once. Comments should be addressed to the board, and to the General Manager.

**Ted Wolter:** I work for the law firm of Boutin Jones, we represent Mrs. Lynn Wolter in this regard. We are a law firm out of Sacramento. I have three points that I would like to raise this evening. First, Director Deppe, I know that the Directors and Mr. Constantouros received my letter yesterday. We believe that you should be recused from voting on this matter.

Our client, on March 25th, reported an improper incident, the improper removal of petitions related to a 2009 ballot issue in this community. Those petitions should've been destroyed, and, instead, on March 25th, they were improperly removed from the district offices, and taken to your home. Mrs. Wolter reported this to Mr. Constantouros, and since doing so has been retaliated against repeatedly for having reported this unlawful conduct. The report that is protected by California Labor code section 1102.5.

Secondly, this action tonight would constitute an amendment of the District's Budget Ordinances, which was adopted in June. When public agencies adopt a budget paid out in ordinance that establishes the budget, this would amend the budget, there is no notice of any budget ordinance amendment. There is no notice that this is the first reading, let alone a second reading, you'd need to have a first and second reading of an ordinance to amend the budget.

This vote tonight would be ineffective, because there is no ordinance before the board, and it is improper procedurally to move forward with this, and you'll need to re-notice this properly as a budget ordinance amendment, as a first reading, and follow up with a second reading in a subsequent meeting.

Thirdly, the policy and procedure manual is also affected by this action. I disagree completely with your counsel that the District Secretary is just part and parcel of the District Manager. It is a separate position completely in the district policy procedure manual. You cannot delete that position, and replace it with three new ones, without amending the policy and procedure manual first.

It doesn't matter if you have, in the past, made errors in implementing the enforcement of policy and procedure manual, you cannot do it here, when it's being pointed out to you. You have to have two readings of the amendment of the policy and procedure manual.

Further, to amend the policy and procedure manual, you must pass it by the fourth fifths vote of the Board of Directors, you cannot pass it by a simple majority. There's a four fifths fourth measure. Lastly, just more of an editorial comment, I spent 12 years working for a public agency in Sacramento, local government. A large local government, but a local government nonetheless, and all of these practices, all of these procedures are very familiar to me.

Local budgeting, in particular, and staff, I mean, is something that I have a bit of expertise in. I find it shocking this evening that you're proposing to, first, change all the positions, and upend things, and then, maybe you should come back, and conduct a human resources review second. I would suggest, the first thing you should do is conduct your human resources review, because you will find that despite what Mr. Constantouros that you lack a foundation here, you have a fantastic foundation in your organizations.

There's Mrs. Wolter, your six line officers that serve on the streets in this community. That's your foundation. Your problem is at the top of the organization, and a human resources review will reveal that, and tell you how to properly address the issues that you're facing.

**General Counsel:** The retaliation claim has been brought up before several times, not merely in connection with this matter. These structural changes have been under discussion now for about a year, well before the March 25th incident that Mr. Wolter referred to. I don't see any facts that provide a basis for retaliation here, and Director. Deppe has no particular reason to retaliate. He has not himself faced any ill consequences for the admitted mistakes of what happened.

I would remind the audience that those mistakes arise through the failure to destroy the petitions, that was not Director Deppe's mistake, nor was it anybody currently sitting on the Board, or currently on staff, I believe. Again, I think it's a non-issue. I do understand that it's a matter of concern to the people directly involved, but it doesn't require Director Deppe to accuse himself.

**Mabry Benson:** Ms. Danforth made a comment that I was going to ask, why weren't those petitions destroyed earlier? The district administrator was on the job at that point. I do want to point out that Ms. Wolter was on the committee to hire Mr. Harmon, she, later on, got hired for that position.

After a while, she was given an exceedingly generous raise, and that raise was given without much notification, if any, to the community. The community was very surprised at this sudden, very generous pay scale. I have no reason to judge Lynn's qualifications. She's always been very pleasant to me.

If she meets the qualifications, I would suspect she would be hired, because she does have a lot of background experience. It's just, as I say, with the police, if they were qualified, other districts would hire them.

**Vida Dorroh:** Why are we going to put these five people in the little office that we have. I'd like to know that. Secondly, your consultant said that in phase one, transparency is very important. My recollection is that, about two or three meetings ago, upon asking a question about the missing minutes, Tony said that minutes didn't have to do anything with transparency. So, I'd like to know what is the definition of transparency that this board is going to be adhering to?

**Andrew Reed:** I understand the organizations are smart to review their structure to get professional opinions. I'd like to talk about how, over a year ago, the board approved increases expenditures to go from one combined Chief of Police and General Manager, to one and a half people to do the job. At that time, there was an addition of about \$100,000 to the budget, per year, for the half time General Manager.

Now, we have a request to nearly double the support staff for the same General Manager, and pay for outsourcing of several key functions. I think \$180,000 number does not include the outsourcing numbers, if I read it correctly.. My concerns is the timing in the increased expense of any such efforts.

This should be our top-standing priority, safety for the community. We also have the pension funding concerns mentioned so many times, so eloquently by previous speakers. Then there is a plan to spend reserve funds to pay for the remodel of this Youth Hut that was mentioned earlier today.

These seem like greater priorities to fund than creating an ideal staffing support situation for the new General Manager. For decades, we have managed well enough, perhaps, with one person managing police, park, and garbage. We are not a large city, and we should not build in lasting, higher overhead given our size, our financial condition, and our goals.

Please reject this proposal for increased staff and related expenditures, until after we fully fund the police, and make the improvements suggested by Matrix.

**Gail Feldman:** This issue has been around for over a year now. When Tony came and spoke to KPOA last fall, he said that one of the first things that he discovered was that there were some issues with the administration of the District that had to be addressed.

I was not surprised, then, for the follow up, which was to bring Bob on to look at a reorganization, look at what was going on in the district as far as the administrative services that were being provided.

I have concerns about the size and scope of what's being proposed. In all the organizations I've worked in, whether it was a county or a city, the Clerk of the Board was the administrative arm of the City Manager or the County Administrator.

It's really the role of the County Administrator, the District Manager, or whoever, to be responsible for implementing the decisions of the Board, and making sure that they're followed up on. I didn't really see that role going to the Clerk of the Board where I've worked. I think that needs to be clarified a little further, what really the role of the General Manager would be in those cases.

There is filing of paperwork that would be a responsibility of a clerk, but not necessarily ensuring that the actual actions that need to be taken. Those seem to need to be the General Manager's responsibility. Other things such as the Office Assistant, who seem to be like would be nice to have, have somebody there to greet people who come in. As Tony has mentioned, you don't have a lot of traffic coming in and out. Typically, when I've gone to the office, there is always either a Police Officer in the building who can accept mail, or documents. I think there are other ways to handle that, which wouldn't be as costly as having a separate position to be there.

As far as the Business and Finance Manager, I do think it's really important that, whether it's a function of the General Manager, or another position, that you have a strong person who can handle your budget and your financial management. Right now it's been bifurcated, as it was mentioned. I support having that in one person if possible.

I would ask you to request a further breakdown of some of the costs that were listed, as far as the savings, and what the costs are for the positions, as well as other contracts that you guys will need. Including the contract that's up on your agenda for tonight for the payroll services, and financial management. As well as that you know that you'll need consultants for other things, whether it's your human resources, management, or other activities that you're always needing. I think that the dollars really aren't quite correct in what we saw in the report tonight.

Just one other thing is that I would have liked to have seen some comparisons to some other smaller districts. Marinwood across the bay in Marin County is a very similar district to Kensington. They probably don't have the same issues currently that Kensington has, so I'm not saying that we're exactly like them. I think we need to understand why they can do it with such a small staff, whereas, Kensington needs to have many more staff, five people to do the same kind of sized district. Those are just some of my comments, and I'd be happy to write to you more, and not take up all your time tonight.

**Peter Liddell:** I'd like to ask the Board to please reconsider the proposed plan to replace our District Administrator with three other full or part-time employees. We cannot afford the additional expense. If, in fact, the District Administrator is overloaded, can we not transfer some of the work to a knowledgeable volunteer?

In the past, the Board has reached out to its citizens to help with the administration of the District. The Finance community has been an integral part of our budget planning for many

years. Other official and not so official groups have formed and dissolved as needed to assist the Board with planning and problem solving. Whereas, the marketplace of ideas that gave us the ad hoc report, built the Community Center, and provided support to the Board in a variety of issues over the years.

Why are we, again, spending money we haven't got on consultants and lawyers, instead of reaching out to the community? Could there not be some task that volunteers could take on?

**Kevin Fitzsimmons:** Kensington does have a unique character. I think, for a place as small as Kensington, what we really depend on for our character are our neighbors.

What is being proposed here, I believe can be perceived, and I'm hearing it is being perceived, as a proposal under the guise of efficiency and economy, which is really nothing more than a shameful attempt to get rid of an employee, while cutting the salaries of other employees.

In addition, the oh-so-delicate recommendation that the current District Administrator re-apply to one of these possibly part-time positions, smacks sourly of trying to get rid of somebody. The question is, though, out of all the people you could get rid of, why would you want to get rid of someone who has faithfully served this community for years in different capacities?

A neighbor who worked to get us that park on the hill over there. A neighbor who is respected by many people in this town, not because we always agree with her, but because she knows the history of Kensington, is part of the history of Kensington, and she understands the facts and the figures, and will tell you them, even if it's inconvenient.

The perception that is going to cling to a 'yes' vote on this decision tonight, on this job description thing, is that the Board did not do what was best for Kensington. The perception that this community is going to be left with, is that there was a 'yes' vote on a concocted set of recommendations and staffing changes, to either get rid of somebody who was inconvenient, feed somebody's ego, or cover something up.

**Hoda Perry:** I have lived in Kensington for almost 50 years. I need to point out something to the Manager, General Manager, and to the Board. I think some of you have lived here a certain number of years. I think you are misunderstanding the nature of this community, and who we are. We are not a high-powered, large city.

We don't need five part-timers, and this and that to function. We need a police force. We need our neighbors. We need people we can talk to at the police station. We need a full complement of police officers. Frankly, some of us think that's a lot more important than having a General Manager. I think you need to start listening to this community.

**Khou Dang:** My favorite term, thrown around by a Board member was, "Make Kensington boring again." I'm hoping, that was meant to be a pun based on Trump's slogan. What we didn't know, or somewhat suspected, is that the board wasn't just using the slogan, they were employing Trump's tactics.

One of the first rules of Trump's playbook is to get rid of people and things that inconvenience you, and bringing back in to back it up. We have seen this ridiculous and unscientific method

employed by the Matrix. I guess backing up confirmation bias up in majority board doesn't come cheap.

We see it by the board going public into appointments and vetting of employees, to own little scandal and investigation. What's next? Ignoring the right to vote? One trick taken by a Trump playbook is to get rid of people who didn't fit in.

One way to get rid of people, is to restructure the position, and push people out. What is happening here with this recommendation? The recommendation was designed to push Lynn Wolter out of her job, and place part-time employees, who can be pushed around, do not raise question, or to have opinion.

Instead of supporting a good employee, and a person who has served Kensington for many years, the board is going to make the decision to kick her out, add more people, and cost us more money. Thanks for bringing a little of Trump chasm from Washington to Kensington. If the goal was to make Kensington boring, you fail.

**Gretchen Gillfillan:** I've lived in Kensington 60 years, and I'm here to speak on behalf of my good friend, Lynn Wolter, who's smart. Smart. Smart. She could fill any job that is available. We would be totally remiss to lose anyone. Please listen to me.

**Karl Kruger:** I've been coming to these meetings for a very long time. Long before any of you were on the board or came to the meetings. I couldn't say, that in all this time, that we ran a tight police department, because we did not. We had all kinds of hiccups that shouldn't have happened. If I can go back a little bit, when we had Greg Harmon, he obviously was not a manager. He was a police officer, he acted like it. He did not act like a manager. We, then, decided to hire Kevin Hart. I liked Kevin Hart a lot. He was very professional.

He dressed professionally, he acted professionally, he answered professionally. I was sorry that the board did not make it with him. Then, we hired Tony. I also love Tony because he has experience, he's a very mild-mannered person. I remember the night he was introduced in this building. Anthony asked him, "Do you have the authority to make personnel decisions?"

Tony kind of said, "Yes," in a very mild-mannered way. He should have said, "Hell, yes. Why would I have taken a job like this, if I do not have the right to hire because this is not the Board's job. It's a General Manager's job."

Tony hired consultants. I assume that he hired the best consultants that he could get. They gave us two community meetings, where people had a lot of input and asked questions. The way I feel is, we hired the best consultants, we paid for them. Why would we not listen to them?

Now, I happen to believe in a strong management sector. The way I see the lineup, the way it is, that gives us an opportunity to have a good, solid police department.

It's my hope that the community will see the benefits of this structure, and would go this way. I have some questions about the cost that's 180,000, and that the savings kind of disappear. I have a hard time believing that we finally have \$170,000 in fact in savings. Clearly, this has to fit into our schedule. That's the General Manager's job to see that it fits into the schedule.



**Sergeant Keith Barrow:** Police Officer Association. I'd like to give my time over to Mr. Wolter, because I'd like to hear some of his responses on some of these that your council have raised.

**President Sherris-Watt:** No, we asked to not have repeat comments.

**Sergeant Keith Barrow:** It's not a repeat. It's my five minutes.

**President Sherris-Watt:** No, we're not doing time exchange. I'm sorry. We're asking each person to speak to what -

**Sergeant Keith Barrow:** Can you show me what policy that's under? I don't have five minutes?

**President Sherris-Watt:** If you would like to speak for five minutes, I'm happy to allow you to speak.

**Sergeant Keith Barrow:** If I stand here next to him, you'll let him speak?

**President Sherris-Watt:** No, when I presented that I asked everyone, "Please to just speak once so that we can allow everyone in the audience, and not call the question because we have other business." If you would like to speak, I'm more than happy to hear from you.

**Sergeant Keith Barrow:** I know the officers are against this. You're going to bring in five people to sit in one chair. We don't have the room in the department. There's a lot of other questions that you brought up first thing, and I'll give over to somebody else.

**Officer Ted Foley:** police officer here at Kensington Police Department. This is a statement from the police officer's association that I'm making. I was voted to basically make a statement on their behalf.

What we'd like to do, is we'd like to say that we have great concerns about what's come up here. In our opinion, you're eliminating Lynn's position. Everybody here should understand that Lynn and Andrea Di Napoli are the fabric that makes the department run the way it does.

Without those two, we could not function the way we do. We're at half-staff, we don't have to worry about our payroll. We don't have to worry about a number of things. If I have a question, I can go to Lynn, if I need something done, I can go to Andrea. These are the people that keep us in line.

These are the people that keep us post-compliant, which is something that I'm sure Mr. Bob Deis doesn't know anything about, post-compliance, POBAR violations, things of that nature. This is what they do. This is what keeps the district from being sued. It's very important that you, the Board, hear that. It's what keeps the district from being sued. Okay?

If we're going to go to job descriptions, let me just read off Lynn's real quick. This is just some of the things she does- payroll, accounts payable, minutes, website, human resources, occasional emergency, phone or lobby, applied field work, assist GM, assist board, maintain files, adhere to records retention ordinance, assist with the lecture materials, be knowledgeable about CalPERS, which, by the way, is extremely important, because if there's a PERS mistake, the fine that comes is massive, and it could break this BOARD. As a matter of fact, I believe they're about to

get a \$70,000 fine from CalPERS as we speak Reports and compliance, answering questions, Park Tree Ordinance, Garbage Service and contract, history of district, and, basically, accounting responsibilities, et cetera. Here's Andrea's: property, evidence manager, training manager, records, SDRMA CSDA training, police departments, statistics, monthly liaison, coordinating with maintenance personnel Bill Driscoll and landscaper Fernando Herrera, special projects, assign accounts receivable, office manager, Community Center coordinator, rentals, and renew contracts for regular groups. These are just some of the things that they do.

What you should know about Andrea and Lynn, and something that the consultant did talk about, if you want to hire new employees, and you want them in our police department beyond the lobby, they have to go through a full background. That takes three to six months. If you allow those people into our offices, where our screens are run, or next to our police reports that has identifiable information, we're in violation of post, and the state will come in, and mandate oversight over your police department. That's not something that you want. Because the days of me closing your garage door, putting away the awning for you, things that we do outside of our police, normal police duties, they will tell us that we can't do it, because it's a violation. This is a unique community.

I appreciate Bob Deis, his experience. I've actually kind of looked him up. He actually did a lot of hard work in Stockton. Again, we've experience where people come in here and they say, "Kensington, it's small. No problem, I've got it."

They don't understand how unique this community is. When you get big city ideas coming to a small district, this is where you end up with big problems. This is a very unique community. I love it. That's why I'm still here. I don't even have to go to the big city agencies, believe me, they're knocking down my door. Palo Alto PD where I can make over \$200,000 a year. San Mateo county, I could make over \$200,000 a year.

I don't like tooting my own horn, but, believe me, there's no agency that would refuse me. Bart police departments, which is right here, \$150,000 a year. They are bugging me constantly, the recruiter, I know him, and he won't stop bugging me. It's not about the money for me. It's you, the community. I love you. I love this community. I even like those of you who challenge us, and question why we do what we do. I embrace that. I know I turned some of you around from being haters of the Police Department, or complain about the way we do services, just by having a conversation with you, and asking you, "How can I make things better for you?"

These are the things that I see Lynn do all the time when people walk in. Andrea does it all the time over the phone. They talk to residents, they listen to residents. Again, going back to job descriptions, my job description as a police officer, we don't have enough time for me to tell you everything I do as a police officer, and that's my real job description. I throw out the trash at the Police Department, because it saves the district money.

I shred the paperwork. I do everything in that agency. We all do, because it saves you money. I don't go around saying, "Hey, you know what we need, guys? We need a janitor, and we should pay them \$40,000 a year." No, we don't. We can save that money, because we'll do it, because we love this community, and we want to keep our police department here. We want to serve you.

That's our main function. Job descriptions, to me, they've always meant you don't want to do the extra work. Again, I'm not saying that's what Tony wants. I'm just saying that's what I've seen, that's been my experience. Okay? You'll never hear that I have a job description. My job description is to do what needs to be done. Our Chief does it. He expects it from us. You, the community, expect it from us, and we try to deliver as best as we can. Now, the next thing I'm going to read is actually not from us.

**President Sherris Watt:** You have a five-minute limit.

**Officer Ted Foley:** This is actually from an attorney representing Andrea. I'd like to say that, before you go running to my Chief, and yelling at him, blaming him for this, he has not endorsed this little statement. He has nothing to do with it. Okay? He can't stop it. Just so you know, don't go blaming our Chief. You can put it on us, the Police Officer Association.

This is from Andrea's attorney. It says, "Dear Board members, I represented Ms. Andrea di Napoli in connection with recent developments at her place of employment. The facts, as I, Ms. di Napoli, understand them are as follows. Ms. di Napoli is tasked, in part, with security, and keeping track of evidence used in criminal cases, making sure the district's peace officers are up to date on the required post training.

She is also responsible for a host of peace officer, and non-peace officer related tasks, such as: running the schedule for the Community Center. At times, she fills in for others who are out, and in an effort to make sure payroll is administered smoothly, and interactions with the public remain seamless. Today, the board is apparently deciding on whether to decrease Ms. di Napoli's pay by \$10,000.

This is being done without any prior notice given to Ms. di Napoli personally. She found out about this by way of reviewing the attachment relating to item 78 of the agenda for the open meeting being held tonight. Ms. di Napoli urges the district not to decrease her salary for a variety of reasons. A decrease in salary makes little fiscal sense, given the important work Ms. di Napoli does, as indicated above, as well as the lack of increase in Ms. di Napoli's salary over the past 10 years, and the district spending in other areas.

Earlier this year, a CPI increase for Ms. di Napoli and District Administrator, Lynn Wolter, was budgeted by the district. Yet the district has never actually implemented that increase. The board recently paid approximately \$25,000 in non-budgeted monies for a proposed administrative support reorganization report by Bob Deis.

During the investigation that led to the creation of the report, Dawn Turko, a consultant with Public Management Group sat with Ms. di Napoli for approximately an hour to review her job duties and salary. When we discovered that Ms. di Napoli had not received a raise during the 10 years she worked for the District, he indicated that he would document that Ms. di Napoli had not received a raise. That her pay should be adjusted for to reflect her job duties, titles, and that he would pass the information to Bob Deis." The resulting report was dubbed the Bob Deis report, which was issued on July 11, 2018. This is what the report said regarding Ms. di Napoli's position.

"We are recommending that the general administrative support duties currently provided by this position, i.e. scheduling, use of the Community Center, collecting fees, and working with maintenance staff, for the district facilities, should be reassigned to other district staff. This position may provide basic reception duties and coordination with the office assistant position described below. We believe the staffing level of this position can be reduced by approximately 20% when transferring the general administrative support duties to the new office assistant.

We were not asked to review the salary for this position. Curiously, the Deis report was apparently not concerned with reviewing Ms. di Napoli's salary. The district also spent \$75,000 in non-budgeted money to examine the contract in other police services. The resulting report was done with the Matrix report. Contracting out the service would apparently cost the district anywhere from an estimated 14 to 26 million dollars in payments to CalPERS.

Tonight, the Board is voting on whether to hire an office assistant and pay that person approximately \$30,000 per year, by the way, the same salary Ms. di Napoli is currently making. Assigning her some of Ms. di Napoli's non-peace officer related tasks. In the Past Ms. di Napoli has expressed to the board concerns of the type that provide her legal protection and retaliation.

Especially, in light of the District's apparent spending on other matters, as touched above, it's hard for Ms. Di Napoli to view her reduction in her salary, or anything other than retaliation for her speaking out. Thank you for your attention on this matter." Signed Kurt Allen her attorney.

Let me just say one more thing. With all due respect, I appreciate the Board, I appreciate this community. I can tell you, right now, that since Lynn has been gone, there's already an FLSA violation that I'm experiencing. As of Wednesday, when I get paid, the District, if I file the complaint with only \$6,000, because Lynn's not there. \$6,000. Not to mention the fact that you eliminate her position, and you try to do this to Andrea, I guarantee you, they're going to have their attorneys come sue you. More litigation, all I've heard the district talk about is how they want to reduce litigation.

I want to reduce litigation. I don't want to see us liable for anything. I don't want to lose this community, I don't want to lose this agency. Please, just take consideration for my words. Thank you for your time.

**President Sherris-Watt:** Unfortunately, there are several inaccuracies that the Board would find with Mr. Allen's assertions, but we'll not address those directly tonight.

**Celia Concus:** I have lived here more than 50 years. I just wanted to say that there seems to be nobody here who is acknowledging that the report that Mr. Deis did, and what this Board is doing, is trying to find a better way to improve the delivery of the police services. That's all that is happening, this Board inherited many problems. People are afraid to even mention that these problems exist. There have been unauthorized charges, investigations that never should have happened.

There have been citizens in this community who have been threatened, intimidated, who are speaking out at meetings, because they said things that were not complementary to the police department. I happen to be one of them. The evidence room in the police, the public safety

building, was an absolute mess. I heard that from Interim Chief Hart. He's the one who talked about it. There were things that were disappearing from the evidence room, and it was not secure.

One of the first jobs that this board undertook was splitting the role of the combined GM and the COP, the General Manager and the Chief of Police. How in the world can you have an organization in which the same person is having to oversee his own activities? Harmon was having to be the General Manager and the Chief of Police, so if you went to the Chief of Police, and didn't get satisfaction with what you spoke about, you would be advised to go talk to the General Manager.

Maybe he would put on a different hat, or perhaps a suit, or I don't know what. Then, he would be the same person talking to you again? This is absurdity. When the Board voted to separate the General Manager and the Chief of Police, even Board members who refused to do it all along, applauded the Board for doing it, and said it was the right thing. I also want to say that we do not have, we're not at half-staff. Officer Foley, I believe that Chief Hull said that we have seven sworn officers of the 10.

It is far more difficult to expect people to volunteer now, than it was, perhaps, 30, or 40, or 50 years ago. In a family where there may be two persons, both of whom are working, they're coming home, they may have young children to take care of, they simply don't have the time to be volunteering, and spend a lot of time on committees. It is time that we have some professionals who are doing some of the tasks that the volunteer's, who were sitting up here, are now doing.

We need professionals. This report, as I understand it, is not talking about five full-time employees. You're making it sound as if they want to hire five full-time employees. Nonsense. We have five different employees who are doing tasks, and it's a reorganization of how those tasks are going to be done. My last point here is that, although we are not fully staffed with officers, somebody had pointed out, more than once, that we have not had an increase in crime.

Isn't that interesting? I'm not inviting it, I'm not asking the people who are out there making trouble to come to Kensington. I live here because it's a nice community. Most people are very nice, but we have not had an increase and a resurgence of crime. Please, be reasonable, don't slaughter these people for making recommendations for being more professional. Thank you.

**John Stein:** I've lived in Kensington with my wife, Kathy, since 1982. I am a former Board member of the services district, so I've sat here. I am reminded that during your campaigns for office, you all stressed the need for change, and how professional, accomplished, and experienced you are. I certainly hope that that's true. When I reviewed the July 11th proposal, the following questions occurred to me. I glanced at the proposal that was handed out tonight, I didn't see it before tonight.

My first question is that there are salaries that are proposed, but there's no mention of benefits. My question is, were benefits considered, or are these folks expected to be hired without benefits? [No benefits]. My second question, is a part-time general manager capable and/or

willing to manage the increase in staff members? My third question is, where will they sit? I've been in the police department often enough to know. Do you guys have a floor plan drawn up?

Tony, do you have a floor plan drawn up where you can share with the community where people are going to sit?

**General Manager:** I believe we'll be able to put the people - There are three desks in my office. I'm the only one that uses it.

**John Stein:** You'd want four people in your office?

**General Manager:** Not everybody will be working at the same time.

**John Stein:** Then on page seven of the July 11th report, it says we recommend that you research and include quantifiable offsetting savings in the staff report. In the report it came out from Bob which is not a staff report, but it's Bob's report. There is a page on savings which I find very weak. It talks about eliminating the district administrative position for \$80,000. That could be clear as black and white. But the next \$90,000 you talk about is reduction.

One is an elimination that's pretty clear. Everybody understands it's gone that \$80,000. But the next three, line items, you're not eliminating it, it says you're reducing it, and that's a very weak term. My question is, are you going to reduce your budget by \$90,000?

**General Manager:** It is our intention to implement reduction. Also, I try to be conservative in these numbers. I think there's additional savings also, there's probably reduce the hours of the GM, it's probably another \$20,000 in savings for the general manager. I think also there's probably some savings in litigation costs also, hard to quantify them, but there's additional savings. These are our best projections.

**John Stein:** In any event I don't know if there's any real issues, savings in our budgets in any of this. What I do know is that we have a wonderful police force which we know is understaffed, whether it's 30% understaffed, or 40% or 50% is major understaffed. Speaking for myself, my number one priority for the board is a fully staffed police force, and based on everything that I've heard tonight, without getting into any of the gory detail, I cannot support any future additional taxes to pay for the administrative services that have been discussed.

**Johanna Ferman:** I'm both a public health physician. I've had a lot of experience in policy and running systems. I have to say I'm a little embarrassed not about the fall, but about coming to you this evening with so much of my time over the last years not really being here enough to be involved more actively and serve as Deputy Commissioner for the State of New York, built the division of clinical programs, run nonprofit organizations and generally have a fairly good sense of building services from the ground up, running systems large and small.

One of the wonderful things for me about being here in Kensington over these last 10 years, has really been about a community that has the vibrance that has had citizen participation and with the kind of transparency I think we all want, that has been the history here. But this is really about change so I'm speaking now about my own hearing and seeing and I'm trying to reframe this to get out of some of the polarization. I think all of you on this Board, spend a great deal of

time and energy, not paid, really trying to do a good job for the community and brought in consultants.

I absolutely supported the separation of the general manager from the police chief. I think it was a very good idea. I have been watching and waiting to see what would happen. I have been deeply, deeply concerned about the financial issues and about the expenditures, the litigation, the kind of ongoing issues that have really changed the character of Kensington and I think I'm speaking for quite a number of us here who feel what is happening to this community. I read over the report, I think you've had some very fine recommendations.

Clearly, there is a need to create change, to have a backbone for management and accountability that is necessary. But this is a small community. This is a community of 5,000 people, and we are being taxed through the nose at this point. Every year it's going up and up and up and it does not seem to be the recognition about how these changes, were they to be enacted all at the same time would impact that budget. I'm not clear at all about that, so I'm asking for a couple of things here.

I am asking the question as you make a recommendation to bring five people in and replace some of the backlog that's been in there that you think about and be answerable to this community about the impact that that's going to have. Because in every system that I have seen, when you do that, when you remove consistency, we have a general manager who I think to be fair, Tony, you're were here halftime, and from my understanding your preference has been to be halftime. That has been a concern for you, so as you remove, and this, I do not know when it is-- forgive me I do not know your last name-Wolter. Forgive me. I don't know the personalities here. But as you bring in and fragment the individuals who are doing the services with all good intention, and you do away with a full-time position who has really managed a great deal and I think that this community is in both for cost escalation and fragmentation.

[It was clarified that the position has never been full time.]

But there certainly is a depth of understanding and coordination with the statement. That's what I hear about the range of things. I'm not saying that you may not want to bring in some additional functions and people, and bodies to do this, but to develop a plan. First of all, understand how to phase this in. Rather than accepting this whole hub, and we'll see what impact it's going to be.

That would be something that I would be asking of you as a board for people who are representing this audience, and people who have voted you in to be transparent. I would ask that that lower part of the triangle when you talk about corporate support and accountability, and value systems. So far what I'm hearing are, and I don't mean that you meant this. But what I'm hearing is that that's the job of the manager. And that's the job of this person and that person who are employees.

When in fact it's our job. It's the job of this community to hold you, and you, and you accountable. Is there a way to thread the needle and to take the energy in Kensington that we had talked about. So that when you take my house that you are impassioned to bring to the board. Is

there a way to use. People who have gotten up tonight to speak have a level of depth that transcends any of the consultants that you brought in.

The idea that you might be using some of us in an advisory capacity to think about these changes, and assist you with it and bring these pieces together is something that I would ask you to consider. I would ask you to consider not taking a vote on this because I don't think you are ready. I don't think that there has been. Given the commentary that I've heard at my first meeting in several years. It doesn't sound to me that this is something that I want my board to be doing in representing me.

**President Sherris-Watt** made a motion to extend the meeting past 10 pm.

**Director Hacaj** seconded the motion.

**The motion passed 5-0.**

**Lorraine Osmundson:** I've been here since 1959, and I probably won't be here too much longer since I'm 97. Anyway, and I'll make this very short because everybody's anxious to leave. I think you're making a huge mistake if you let go Lynn Wolter. She is a jewel, and if you heard all that Officer Foley says that she did. She's holding this whole place together. I heard you're going to replace her with three people. Well, those three people will never do what Lynn has always done. I just want you to know, you would be making a terrible mistake to remove her.

**Kay Reed:** I have sat in Tony's place for years and years. I've run organizations and reported to boards. So I am putting myself in your position as a board member and also thinking a little bit about Tony's job. My boards have always asked me, and you are very correct in saying, "That's not our job. That's the administrator's job. That's the manager's job."

But I would suggest that, and I want to echo Dr. Ferman's suggestion that this whole thing be tabled for now, every organization has a right to look in how to be more efficient, has a right to look at the staffing. It's important that you are diligent about making sure that we get the biggest bang for our buck. But I'd suggest that you're actually seeing an incomplete plan.

The parts that you're missing. The financials, right? We don't have a real specific like John Stein said. What are the savings? What are the costs? Do those cost--and I understand they don't have benefits, but, statutory benefits aren't provided and they are 6.5 percent of every employees salary. Are those included? It's a small part but it's a part.

Outsourcing. I want to show you that outsourcing for the financial services. Outsourcing for the meditating. Has that actually been bid or at least looked at? Do we have that in a budget? Is there really a financial plan? Do we have any equipment to house these people?

Now, the general manager is a much better person than I do, I would never want an employee sharing without a space. You have to understand that if there's two people in his office. He's going to have to turn and say, "Excuse me, I have a call that you can't listen to." Are we going to be paying people to step outside while he conducts his business, or are we going to ask him to step outside on his cellphone to conduct business of the District.



Finally, I think it would be worthwhile to look at the schedule. If indeed there are power X number of positions and some may be in the office. Some may be outsourced, but I think it would be within reason to ask the manager for a hypothetical schedule. How does this work? Because we have this one get up and say, "I knock on the door and no one's home." Then we hear, "Well, don't worry. We'll work it out."

Well, I'm only interested in like how does that look. Understanding is not in concrete. Hypothetically, what does that look like? How would have one percent of the year every morning between eight and nine for five days a week to cover that? Maybe. What does that look like, so that's part of the incomplete picture. The other costs that have not been addressed, but are real costs. They're soft costs. A manager spends approximately 40% of his time managing staff.

We have director reports, they need direction, and you have to talk to them, you have to pat them on the back when they're doing great. Slap them when they're not. This takes time. As you create a structure that becomes more hierarchical. You're building in supervision time into each one of those positions that will decrease their productivity because they have to go wandering around after that person.

The more individuals you have, the more formation you have to do. People are saying, "I don't know what my job is." This is Michael's experience. "I don't know what my job is. Why is Suzie doing that. I thought I was supposed to photocopy." In some ways having more people, first of all, I think, personally there's an ethical issue with having a part time people and not paying benefits. I also think there's efficiencies at having more full-time people because then they coordinate with themselves. Right?

You aren't having to coordinate with ten hour a week person, with a \$20 a week person, and wonder where. Again, spending that management time putting them into place. Then what was new to me tonight was listening to the officer talk about the pros, and various risks that seemed to be associated. They were unique. We've all said, that's what you needed. That's what we are here. We love it or we hate it, but the uniqueness's of having services district with police and they're like intertwined.

This isn't Berkeley with a police department is down the street for the city manager, like they're all in the same closet together. I don't know that there's been appropriate analysis of the risks, and the pros and the cons of the litigation side of this. What police staff do you have to keep reserved, and you can't have other people looking at them? And if that person, needs to know where everyone really is. Where they sit. Is the person sitting in a spot where they're going to put us at risk if they are looking over somebody's shoulder, they're looking at the wrong stuff.

Again, it just feels to me like you have not seen it at this point but even though we put trust in these people. I think it's reasonable to hold them accountable for giving you a complete plan. Then finally I do think I need a tiny organization or naturalization about tiny organization. I do many times tasks that are below my pay grade, and every time I sit at the fax machine I say, "I choose this, I choose this, I couldn't have a secretary but I choose this."

I do that because I live within the means of my organization. I enjoy the benefits of working for a small organization. So far there's maybe some things you roll up your sleeves about, maybe there are some benefits about doing that. Then finally, this is just a fellow supervisor if when you came to town and you saw that the filing system weren't working, I certainly hope that you took that employee aside and gave them the manual about how to do it correctly, and corrected their behavior and that since then they've been upgraded. That we haven't waited a year to have it done, or whatever you found here that you actually have been working with a staff you have to move them in the right direction so things are compliant with what we're supposed to do.

I echo others who said, "You know this is a police district first and foremost and that's my most important job, so it's not just staffing, we need make sure they have appropriate training funds and animal funds and gas money and every part that takes into being a ready police force.

I find it really amazing that we aren't taking minutes because how else do you know- and I realize that we all get on the video but really, come on, who is going to listen to four hours? We just need to look at the minutes. The building's important everybody wanted- they don't want the first plan that's fine. Let's do the second plan, "let's do it."

Even though right now we still don't have a complete plan we think maybe it's a \$10,000 delta. I was here in this room, few years ago when there was a discussion about how we could possibly impose a \$10,000 a year tax over the whole city, or the whole community because it was where we get measure that we're out being here cost of good.

People were tearing their hair out that we were somehow adding the 10,000 income to the budget but I see no one tearing their hair out about why we're spending 10,000 more dollars. We've had knock down drag outs over less money. I appreciate that and I would encourage you to ask your general manager for more complete plan and table this action for tonight.

**Lynn Wolter:** I am the district administrator and until recently I have loved my job. I have helped almost every person in this room in one way or another if not during the last five and a half years, during the last four years.

My husband and I moved here in 1978 and I promptly was asked to join the Kensington Property Owners Association, I serve with that Association for several years as its treasurer and then as its president. I then was asked to join the Kensington Community Council, I have done that work for a number of years and the year I was president the effort to buy the park was initiated and it began with the Kensington Community Council.

I then ran for the Services District Board to see that process completed and it was a joyous moment when there was an election and this Community voted in large numbers to purchase the property that the Unified School District had declared surplus and then subsequently turned into our park. It has been an enormous pleasure and it has been enormous sense of pride with which I have served in this capacity, and I would very much like to continue doing so.

There are number of tasks that the board has taken on recently that I would gladly take on and that I'm quite capable of taking on. I have the bandwidth, the experience and the time to take them on. I am a part time employee, I would continue to be a part time employee, I enjoy the

multiple tasks I get to perform, most especially, I enjoy waiting on my friends and neighbors who come to the front window. The most memorable moments are when there are medical emergencies that present at the front window, as a doctor's daughter I don't become alarmed rather I jump into first aid mode.

I am the proud mother of two eagle scouts who grew up in this community center. I can't begin to tell you how many scout ceremonies I attended here, and the proudest moments of that experience when my sons attained the Eagle Scouts status. I'm not sure what else had other than this report was a shock. I did not expect to be eliminated at such a- I don't know how quite to put it- I did not know that this was coming, I had no way to expect it. I'm very disturbed that this come to pass. This is the last time I get to address you, please know how much it has meant to me to be able to be your district administrator.

**Bob Deis:** A lot of speakers talk about bureaucracy and things that need solution to a small district. Clerk of the board is half of a full-time position, office assistant would be around 60%. The district plans and business manager would be 75%, general manager I say 40-60%, let's take the higher, 60%. Add all those up they equal to 2.48 full-time staff equivalent. Remove the district administrator, that is a net of 1.48 of a position to manage the district.

I don't think that's a big city proposal, I don't think that's a bureaucracy.

In fact, you're gaining the benefit of 1.48 full-time positions without having to pay for benefits. Your district is just not organized, they don't have the financial wherewithal to pay benefits, except for in the police side. You're gaining 1.48 of full-time positions without having to pay for benefits, it is a very efficient staffing model. On top of that reason why we're breaking them out into pieces is because you have this degree of skill set. You have entry level, or what the labor market would say is the lower level skill set and you have a very high-level skill set.

Well, in order to get high-level skills you pay pretty good salary, but if two-thirds of their time, is doing lower skills or duties, that's not a very efficient staffing model. By breaking them up into pieces and pay a more market-appropriate pay for each of those skills, it's a very, very efficient model. Yes, it requires a little bit more coordination and supervision, and that's why the finance business management is supervising the others. It's not bureaucratic. It's not a big deal. It's four part time positions.

**President Sherris-Watt:** Thank you all for speaking. Please understand that we appreciate and understand your passion and I believe that your suggestions are well-meaning and heartfelt.

First of all, regarding problems with safety of folks seeing information. In 2015, I competed a safety survey of the office. A two-member citizen volunteer panel, plus Sergeant Hui and myself, studied the office. I don't want to announce it, but if you stand in the lobby of our office, there's a safety violation for looking at computer screens unless my staff shuts their office door. That's not a staffing problem, it's a space problem, and one that we are hoping to address. Our officers need to close the door, or turn their computer screens regardless of what staff is in the office.

We are a unique individual community, but peer groups are important, and we, like it or not, are a government agency, so there are, in 2018, a whole series of professional standards that we must

meet. We are adapting to those slowly but surely. If you think of us, for a moment, like a high school - high schools can be really unique, but there are whole sets of curriculum considerations that schools make because they are interested in having their students go to college.

We are interested in adapting to all the requirements that make sure that you can function and interact with the information that is your legal right and that we are not, in the future, being censored by a government agency.

There are a lot of soft costs that you're not seeing because we don't discuss most of our litigation in detail until it's finalized. There are things that are handled by our insurance company that we hope to reduce by having each set of tasks in the correct basket.

I know you can feel very impassioned about how we operate, but it is difficult to see until you are on this side of the table. It is difficult, for all of my Board members when you are looking for a specific piece of information, sometimes to know which employee to go to. Our financial obligations are spread amongst different employees and not put together. We have clerical tasks that are spread amongst employees and not put together.

When you listed the responsibilities here, on page five, under some important roles not fulfilled, I was able to put a Board member's name next to every task. It's not that we, as Board members want to do so much less, we're happy to be your volunteers, we're happy to do hard work, but technically, it's really inappropriate.

We utilize community volunteers, you know the Fire Board does not. We utilize them on our communities, but we're entering into really grey areas there. We can't bring you in and share personal information with community members. If community members are in volunteer positions, and they make an error and that results in loss of either income, or time, or a lawsuit. How' does the Boards supervise that? There's very little repercussion. We need to have a professional standard and we are not there yet.

As Bob said, "None of these is meant to be an attack in an individual." You may not believe that but it's very true. What we are trying to do is organize a District that is in alignment with our peers because you cannot build districts around individuals. Folks retire, they get ill, they seek other opportunities. They don't want to get ill, they don't want to have to take a week leave. If we have no back-up, we are in crisis mode constantly. This is how this district has run for several years, always playing catch-up. I propose that we accept Bob's study and I like to hear from other members of the Board.

**Vice President Nottoli:** There have been a number of speakers that talked about splitting on the GM and Chief of Police position and how we have in the past had Chiefs of Police that performed, to some extent, general manager duties. By State law, we're a community service district and by State law, we have to have a general manager.

I have seen the skills and expertise that Tony has brought to the position and have a high regard for what he has done to the District. With respect to how we have operated in the past, everything has become a lot more complicated. We are a government agency. We have bills, we have payroll, we have budgeting requirements. There are additional State laws that we have to

comply with. That's one of the reasons why we have a new website now because we've had to comply with State law requirements for ADA access.

As a consequence, the complexity, it requires a specialty skill set. I do think, one of the benefits that we have with the report that has been prepared is the recognition that we do need certain skills sets and as a consequence, there are some that are going to have a higher salary, but other skills sets that don't have to command that same salary. And it's a way to be operate a little more cost-effective.

There's also have been a number of comments because we are the Kensington Police Protection Community Service District, but police staffing and as you all know from comments that I've made in the past and what you've read, every law enforcement agency is short-staffed.

There's a shortage of police and we have a particular problem because our salaries are low compared to other jurisdictions as was mentioned earlier tonight. It's going to take a while before we can increase the salaries but at the same time, we have overly generous retirement benefits and try to correct that shift. It's an understanding that's a lot more difficult than even turning around a very large supertanker.

I'm confident that our General Manager will have a schedule of people if we do approve the study, so that people aren't tripping over themselves in the office. It is a small space, but one of the things that's nice is that we have been fortunate to have some flexibility on spacing.

**Director Welsh:** I just want to say again I think the report that it is excellent. I've seen similar things before in my long years of government experience and it's a very high-quality product. I think that people are a little bit of denial like here in the 21st century about what kind of structure you need to run, even in a small community like ours. Here's a proposal to restructure. I don't find fault with it at all. I think it is foolish to think that we could survive without both the GM and the Police Chief.

That said, I'm here to report that we're being asked to implement today in the amount of very short notice to the community. It's clear to me from a lot of the comments that I've heard this evening that you really hadn't a chance to read it and think about it and absorb it. Even I would like a little more time to do that. In my gut, I think it is going very much in the right direction and sorely needed, but there are some issues here. There's concern about the finances whenever you embark on a restructure like this.

You did the best you can and asked me, but you don't necessarily know that it's going to work. You didn't have to do it. Literally, you take a few steps and you look at what it's costing and you make projections about the future. You refine things. There is some risk in a new restructuring. Potentially it should not be a whole lot of financial increase if you take the whole picture into account, although it could take a couple of years to bear fruit.

We have not really gotten the complete story on the options for what we contract our police services out or whether we keep our own force or whether we get into some kind of hybrid arrangement. We haven't heard the full cost picture of what the options are. It's pretty darn clear to me after hearing what we heard from Mr. Brady - that is going to cost us more.

If we want to attract good talent here, which I fully believe we can, it's going to take more money being invested in the police, whether it's staffing our own force or contracting out. That's the daily expense moving in the future. There's the Community Center. I do think we're still ignoring the big elephant in the room on that, which is at the Fire District which will be able to help us out, quite a bit on that, but that's not a now, just a very nice idea at this point.

That's a big expense. Then there's the Safety Building which is so far, a can is being kicked down the road. There is angst about expense and that angst about expense is quite justified. I would like to see a little bit more time for the community to look at this report for perhaps even have a community meeting. We've had two of those, one for the police. We might want to have one on this. I do think that as we look at what our options are for the future, there should be some understanding on what the whole picture is. Cops or I should say sworn and non-sworn assignment in the house. I think we need a little bit more time on this and I'm not prepared to vote for it tonight.

**Director Deppe:** I should address the recusal. I have to defer to counsel, but I also don't feel that I need to recuse myself. I don't have any hard feelings, I feel that Lynn was just doing her job, so I don't see a reason that I should be recused.

This study started a long time ago. It's professional study. I remember the discussion about splitting the GM/COP, there was a discussion of what was the right thing to do. Questions were asked - can we afford it? From what I've seen, that turned out great. I think the restructure is really one of the best decisions the board has ever made.

This says it might cost another \$10,000 but I don't think that this is only about money. It's about getting a better system in place for our District; we run our own police department. It's not something to take lightly. It's a serious business.

Staffing our police force is an ongoing issue. I don't see how this implementation would affect that at all. There are two separate issues that are being tied together.

My experience is in software companies. In my experience if you have a system where there is just one person that is critical and if they go things fall apart, it isn't a good system. No matter how good the person is. I have been in situations where I was the person who had all the information and I didn't enjoy that. I was trying to encourage my colleagues or other employees to be able to do what I could.

I think this is a good plan. I support it.

**Director Hacaj:** I really had a lot of enthusiasm and energy coming into this job and I still do, but I'll tell you, nothing will sober you about your responsibilities and the difficulties and the risks and how close to the edge we are as sitting on this side of the table.

Getting Tony [Constantouros] and splitting that job was a priority. He told to us that we had to shift as a Board and as a community. He said, "We don't run the district." We asked for broad policy. We want good services. We do oversight but this is a person who is the most important person in the District right now. He runs the thing and he's had over a year to think about it, to

study it, to work with what he's got. This is not the first meeting on this topic. We had a meeting November 6<sup>th</sup> [2017]. We've had another one today. I read this over twice and I think it's excellent. It is, it's an amazingly thoughtful piece of work.

The amount of time and effort that went into sitting with employees to talk about their responsibilities, that has gone into understanding that, yes, we are unique, we're small and we're financially strained. That has all been, I think, taken into account.

I also don't believe that it is an either/or with the police and the district responsibilities and the park and all the things we have to do. It is our job to manage it all, balance it all. It's not an either/or, and the budget includes 10 positions with the police and the issue is not that the money is not budgeted. It is that we have to recruit and fill those jobs, that has never changed.

I agree also this is difficult because it's a personal issue. We have personal people, these are not nameless, anonymous faces in these positions. It is true that if, as Officer Foley said that if one person is holding the district together, then God help us. Because that is not how a public agency must run.

This is a reorganization, a change but it's needed, it's important. It's going to take time to have happen, and that's part of the general manager's role and job, is to take this plan and make it work. I appreciate the work that went into it from the staff, from the consultants, from the general manager. I take the responsibility of the functioning of the district as a public agency very seriously. I think this is an important step forward and in particular the authority and resources necessary to the general manager to get this job done.

**President Sherris-Watt made a motion to accept and approve the Administrative Support and Reorganization Report and Recommendations.**

**Vice President Nottoli seconded the motion.**

**General Manager:** There are conditions two three, four and five.

**Ted Wolter:** I've reread this. There are no ordinances, there are no staff level changes, there are no budget changes, and part of the motion is accepting the report and directing the General Manager to come back with those proper procedural items.

**President Sherris-Watt:** All this motion is, is accepting and approving the Administrative Support and Reorganization Report recommendations. Other motions may stipulate other activities.

**Ted Wolter:** Just to clarify, there are no positions being deleted from the budget this evening or added to the budget evening? Is that correct?

**General Counsel:** There is no budget item on the agenda this evening, there is nothing that -

**Ted Wolter:** There are no staffing level changes as part of anything before the board tonight?

**General Counsel:** Implementation is being approved. The implementation is not actually occurring tonight.

**Ted Wolter:** But I'm asking are new positions being created and old positions being deleted as part of this action? It is a very clear question.

**General Counsel:** The Board is authorizing the General Manager to go forward.

**Ted Wolter:** And I am sorry if you don't have a clear understanding of public finance. When you have a public agency budget, you allocate positions. There are positions for the district administrator. Is that position being deleted from the budget tonight?

**General Counsel:** Not tonight.

**Ted Wolter:** There will be a future follow up action before this Board to do that?

**The motion passed 4-1.**

**Director Welsh voted against the motion.**

**President Sherris-Watt made a motion to approve the new job descriptions and pay levels as listed in the Administrative Support and Reorganization Report and Recommendations.**

General Counsel suggested delaying that motion until we have a budget amendment.

**President Sherris-Watt made a motion to approve the new job descriptions listed in the Administrative Support and Reorganization Report and Recommendations.**

**Vice President Nottoli seconded the motion.**

**The motion passed 4-1.**

**Director Welsh voted against the motion.**

**President Sherris-Watt made a motion to approve the new job descriptions and pay levels contingent upon an appropriate budget amendment.**

**Vice President Nottoli seconded the motion.**

**The motion passed 4-1.**

**Director Welsh voted against the motion.**

**President Sherris-Watt made a motion to direct the General Manager, Tony Constantouros, to begin recruitment to fill the recommended positions and implement the new staffing models and authorize him to use human resource assistance to complete this task.**

**Vice President Nottoli seconded the motion.**



**The motion passed 4-1.**

**Director Welsh voted against the motion.**

The Board directed the GM to provide updates at every regular meeting, and prepare budget adjustment recommendations for the mid-year financial budget review.

**Financial Services Contract. Consider approval of an agreement with Vavrinek, Trine, Day and Company for accounting and advisory financial services.**

General Counsel: The agenda highlights for this particular contract. Particularly when it comes to financial functions, payroll, that this simply cannot rely on one person to perform that function or even one and a half people, one and a half person may be off and unavailable. We need a firm that can be there regardless of when we need them.

Mr. Aguilar's firm can be that entity that provides us with payroll and other necessary financial services, when we need them, as we need them and at an appropriate cost level.

**Joe Aguilar:** I'm a partner with Vavrinek, Trine, Day. We are the 98th largest CPA firm in the country. We have eleven offices. I work out of the Sacramento office. I draw on resources from Palo Alto office, Pleasanton office and also from Southern California as well as Sacramento. My practice group, specializes in providing accounting and consulting services to public agencies.

We do this on a year-round basis. There is very little difference in the local services we do from quarter to quarter. We service cities as large as the city of Oceanside. We provide all their accounting services. We do full services for the city of Live Oak. We serve as the Finance Director.

We have accountants, we have account managers, we handle their audits, we do their budget. We have a variety of staff members on our team, we have CPAs, we have MBAs, we have Senior Accountants. What we do is, what we found in a phenomenon that's occurred in the last two decades is that a lot of agencies don't need 40 hours a week of one classification. What we do is we do assignments and like in Live Oak the Finance Board requires 16-20 hours most of the year. We mix and match the needs of the clients we have for operation. We serve a variety of clients. We have community services districts, Cameron Park Service District, the Georgetown Public Utility District. We have a lot of cities that we have served over the years. I have been in this industry 39 years. I started my career as a payroll clerk. I once had a relationship with the Police Department when I was a payroll clerk. I was always their favorite because I made sure everyone got paid, including their overtime. At the same time as I progressed through the first 15 years in government, then I went into the private sector. In the last 23 years I've been at Vavrinek, Trine, Day focusing on this level of service. I still work as a Structural Finance Director for a public agency. I have served as the Interim Finance Director for the city of Dublin twice, for the city of Los Altos, for the city of Madeira twice, for the city of Alhambra twice.

We're here to provide better services that your General Manager desires. What we're going to do is peel back the onion, look at what needs to be done, figure out the staffing level and we have coverage with a variety of people who can do the same assignment.

I have five managers in my practice group that are direct reports to me. I have Senior Accountants that have done payroll, and payroll is complicated, even for a small agency. When you start dealing with the payroll recording on CalPERS, it is all electronic. There is some uniqueness to it. We have been called upon by other agencies at the last minute to do their payroll.

The city of Madeira, city of Southern Creek, we've been called in on the last minute to fill-in when they're trying to clean up. The city of Coleman was another assignment we had. We are prepared to do what you need to prepare what's needed to get you back where you need to be. We'll be working with your General Manager to decipher how some of these duties can be done and done on a regular basis. At the same time, we can perform some of those things that are needed right away. I'll be able to answer any questions that you may have.

**General Manager:** Thank you Joe for staying for the meeting and giving a little bit of an orientation of on Kensington tonight. I wanted to note that I've been searching for an accounting firm, someone to do this function but with a specialty in insisting small local governments. Your firm has an excellent reputation in auditing and this is one aspect of the services they provide, chosen

He has also worked with Bill Zenoni who has done help with our budget and the appropriations limit. The \$15,000 isn't just an estimate, we don't know exactly the extent of the services rendered, we're probably going to start with accounts payable and payroll and then we'll see where it leads to. Joe also has a background in systems, so as we progress in improving our current systems for both in finance, payroll, and any other ideas that Joe may have.

**Joseph Aguilar:** The \$15,000 is just a starting point. You're a small agency, I don't think it's going to be that many hours of work, it's just that some things we could get hung up on. I think it'll take us to the first six or eight weeks, but I don't know. It just depends how much documentation you have, how much volume of work needs to be done, and also just the condition of some of your existing reporting.

**Director Welsh:** Our payroll system is Byzantine, there is no other way to describe it. It's unique, and it's another one of the unique factors of Kensington is our payroll system. It's a kind of uniqueness that I think we would be better off without, so if we could make it a priority to fix that, I would be most appreciative.

**President Sherris-Watt:** I had the pleasure of interviewing Mr. Aguilar and I have to say he's given a bit of his resume but I want to let the other board members know he was just so very impressive. The fluidity and function I think he can bring to our District is going to be really great.

As you may or may not know, we have some employees working on the financial side that need to be out of the office for various reasons, and that's thrown us into a bit of crisis, really

scrambling to cover so that we make sure that people get paid. We're at the point where we can't cover it anymore.

**Director Hacaj:** I have a question regarding your rates, do you charge travel time for those rates?

**Joseph Aguilar:** No, we don't.

**Director Hacaj:** I appreciate that. I just caution both you and our General Manager that, as you know, we are a very small and financially conservative district. I would urge you to really continue to be aware of that. -

**Joseph Aguilar:** Basically, our job is to work ourselves out of the job. Agencies like yourselves- The thing we worked toward is we want your referral. I'm a businessman, I have no problem coming in, doing the work, training, and seeing whatever is most cost effective for you to get the job done with in-house people. Or in the payroll situation, outsource that. Then you still have to do the first reporting but that's different than running it with payroll and the pay checks and paying the payroll taxes. It's just a different process there and that will have to be figured out.

It is challenging to find the right people out there, but they are out there. If you're looking for part-time staff they are out there. You just got to look for them in the right places and we are well-networked with other employees.

I personally know several finance directors here in the area, people who have recently retired. When you talk about the clerk of the board- my client in Georgetown public utility they use a retiree who was a city clerk in the Bay Area.

**Director Deppe:** The initial engagements, do you have a goal for what you hope to accomplish or do you just get in there and see what needs to be done?

**Joseph Aguilar:** The first goal - your critical items. Your official pieces of entry; payables and payroll, and then annual banking and making sure goals are operating because they have to be done on a routine basis. Then we start folding back on the reporting and then some of the other items like your budgeting.

Your general manager has a good handle on your budget, but we want to compliment him as to whatever else is needed and how to pull this stuff out of the accounting system. Some accounting systems transfer information onto Excel and we could just set this stuff up for the GM so that he could have more interactive data off your system.

Now, that might not be possible and then you have to look at what do we track? I'll tell you right now, what you track is you track overtime hours and overtime paying the police department. You track that on a regular basis because if you track that, then that's where your budget lives or dies- on your overtime and your salaries and the hours worked, and then you know how much money you have at the end of the year and you make projections.

If you have to stack the information on an Excel spreadsheet you do that as well. There's a variety of message you could do. Even if you don't have a reverse accounting system you can, with just a few items, set up tracking on three or four expense items, one or two property tax or embedding new items and then you control that so there's no surprises.

**Joseph Aguilar:** There are very few systems that I have not worked with in my 39 years and I've seen systems where the guy who comes out to do the update has a lab coat on and this is just last year. The thing is we work with all the systems and the important part is to get the data to your general manager and if we have to reinput stuff then that's okay.

**General Manager:** 5% of the agencies have our outlying practices and some of our practice is still in that 5%, but we want to stop there. We want to be efficient, fast, and inexpensive. It's about time.

**Participant:** Half in this audience to really strongly support what you're trying to do tonight and to feel that the process that you used to do it was appalling. Record settingly bad 03:16:45] had atrociously non-transparent and the antithesis of what you ran on.

I'm really disappointed that you didn't do the simple thing to avoid what now will probably cost us more. It would have been very simple and wouldn't have cost us a dime. It just feels like the same ego stuff that got us into the problem with the writ.

Here's my first question for you. There's an amount of service and a broad scope which sounds way broader than what we're getting into but not a time period for any scope. Talk about the time period per se.

**General Manager:** had indicated to us an initial time period of two months.

Debbie [Russell] will continue working for the district. What we're looking for is - Debbie is entitled to take vacation time. She's also been filling in for Lynn Wolter's absence. She just needs help for her job. We also need backup for all our system.

**Participant:** I strongly support your idea of putting payroll into the modern era. Financial analysis would be helpful. I think you'll find that Kensington's famous for having all those PhDs in a square mile and we really like to meddle.

We like data and the finance committee could be 30 people with knowledge and who will come and take minutes. There's a certain amount of reporting that's become de rigeur and the process of doing it is atrocious. There's lots to come from this. That first couple of months and the 15k is really focused around payroll? Debbie will continue primarily in her normal capacity when she's able? Or mostly connected with the audit? Tell me a little bit about it.

**General Manager:** Generally, we want to get some experience with Joe's organization first and see how it connects with what Debbie is doing. They can coordinate. I want to have some flexibility in that. See what works most efficiently and what's most cost effective.

**President Sherris-Watt:** VTD is not doing the audit piece because that would be a conflict of interest.

**Joseph Aguilar:** There are a lot of transactions like your payroll. When you do your first reporting and the banking involved with the taxes, you have to do some tracking in regards to that. We're going to look at how you're processing it. How is it flowing into your system and what manual adjustments need to be made to keep your ledgers up today. There's also your banking activity. You don't enter those into your system on all bases. You have to update your general ledger based on that activity.

We're going to look at your bank reconciliations process and make sure everything is flowing into the general ledger and that will require general entries and we'll correlate that with Miss Russell. See how much is she doing? Is there a better way for us to do that? There's are different ways to skin a cat, how you do the postings? It just depends on how your system works and how those routine transactions get into the system.

When we go through a system we actually want to have the hands on that and do the work ourselves and then see how it flows through and then we can get make recommendations.

**Participant:** So two months from now. Are you going to re-propose an expanded scope of work depending on the results and come back to the board?

**General Manager:** Possibly. Possibly not also because of what happens during those two months.

**David Spath:** \$15,000 is more for assessing the payroll system and providing recommendations?

**General Manager:** It's doing the day-to-day work actually, payroll, accounts payable. At least at the start, so he can get his hands around how much work is needed and how the work is done.

**Director Welsh:** Well I would hope that you would get a structural recommendation pretty quickly because we need it.

**Gail Feldman:** The other question I had, I thought part of this proposal was eliminating Deborah Russell's position. I have a big question about your numbers, but before we get to that-- the question about internal controls that you have between your agency and the District and how you manage that. I assume that the Deborah is the point person for accounts payable. Is that how it works for your District?

**General Manager:** Deborah is currently is the point person.

**Gail Feldman:** Could you just clarify then in your cost, whoever did the cost savings. There are two \$40,000 consultant finance funds with financial consultant and the other is the other consultant for \$40,000. I don't see two \$40,000 in savings available. So where do you get that?

**General Manager:** It's an estimated projection if you have a financial manager, her workload decreases and her needs are less. The other one is Bill Zenoni who we would eliminate totally.

**A Stevens Delk:** Thought Deborah's yearly salary was \$45,000. She, like Gail, did not see the savings.

The General Manager agreed to review the savings potential.

**President Sherris-Watt made a motion to accept the financial service contract of Vavrinek, Trine, Day and Company as proposed in staff report.**

**Director Welsh seconded the motion.**

**The motion passed 5-0.**

**California Special District Annual Conference. September 24-27, 2018, Indian Wells, California. Vote on approval of Board member attendance.**

**President Sherris-Watt:** The California Special District annual conference is from September 24th and 27th in Indian Wells, California. We must notify and make a motion that Board members can attend this conference. It's an educational opportunity and I'll tell you it's been incredibly valuable for the district. We don't have an onboarding procedure. I won't be going this year, but it is great benefit to us in dealings with other government agencies.

**President Sherris-Watt made a motion to approve attendance for any Board member that would like to attend the CSDA Annual Conference and that the District would cover any eligible expenses.**

**Director Welsh seconded the motion.**

**The motion passed 5-0.**

**Interim Chief of Police's Salary Increase to reflect MOU Increases.**

**General Manager:** A salary increase for the interim Chief of Police to reflect the MOU increase. It's a little different than the MOU. What I want to do is increase the Police Chief's salary by 4%, effective of the beginning of this month. The MOU for the police officers was a 3%, but it was retroactive to January.

So, in lieu of the retroactive to January, we're just doing a straight 4%. No other changes for the police chief. Since it was mentioned in the public section, I wanted to also note that there is going to be a salary increase for Lynn Wolter and Andrea di Napoli of 2.9%. Lynn's salary is currently \$48.02 per hour and it would increase by \$1.39 per hour to \$49.41. Andrea's is currently \$32.01. It would increase the salary to \$32.94 per hour. These would both be effective July 1st. Funds have been budgeted.

President Sherris-Watt: These increases are the purview of the General Manager. He makes a recommendation and the Board votes on the approval because they exceed his limit that they are his to recommend it and essentially get. Any comments?

**President Sherris-Watt made a motion that to approve a salary increase, effective 8/1/2018, of 4% for the interim chief of police Rickey Hull.**

**Director Welsh seconded the motion.**

**The motion passed 5-0.**

**Review KPPCSD calendar of meetings. Board will vote on cancellation of August 23rd Regular Meeting.**

We understand our calendar has been a bit mixed up this summer. We apologize. I am proposing that we cancel our August 23 regular meeting because unfortunately we won't have a quorum of Board Directors.

**President Sherris-Watt made a motion to cancel the August 23 regular meeting.**

**Vice President Nottoli seconded the motion.**

**The motion passed 5-0.**

**President Sherris-Watt made a motion to adjourn.**

**Director Deppe seconded the motion.**

**The motion passed 5-0.**

**The meeting concluded at 11:10 pm.**