

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Regular Meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held Thursday, March 11, 2010, at 7:00 P.M., at the Community Center, 59 Arlington Avenue, Kensington, California.

Note: All proceedings of this meeting will be tape recorded

Roll Call
Public Comments
Board Member/ Staff Comments

APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Regular Meeting February 11, 2010, pg 3
- b) Profit & Loss Budget Performance for February 2010, pg 8
- c) Variance Report February 2010, pg 11
- d) Board Member Reports
- e) Correspondence, pg 13
- f) Police Department Update, pg 14
- g) Monthly Calendar, pg 24
- h) Recreation Report , pg 26
- i) General Manager Update, pg 28

DISTRICT – OLD BUSINESS

1. General Manager Greg Harman will present the Board with an update on the Annex remodeling project for Board action. pg 31
2. General Manager Greg Harman will present to the Board the revised Fiscal Year 2009/2010 Mid-Year Budget Review for discussion, comment, and possible action. pg 34

DISTRICT - NEW BUSINESS

1. General Manager Greg Harman will present to the Board the Finance Committee's recommendation for the final expenditures of the 2008/2009 COPS Grant. Board Action. pg 39
2. General Manager Greg Harman will present to the Board the Finance Committee's recommendation for approval Resolution 2010-02, the acceptance and expenditure plan of the 2009/2010 COPS Grant. Board Action. pg 41
3. General Manager Greg Harman will present to the Board Ordinance 2010-01, ordering a supplemental special tax for police protection, establishing a date for election, adopting intended ballot language, ordering the consolidation of said election, and requesting election service by the Contra Costa Election Division. Board Action. pg 45
4. Board Consultant Brown Taylor will provide the Board the "General Manager/ Chief of Police Annual Goal Setting and Performance Appraisal Process and Procedure Amendment" for the District's Policies & Procedures Manual, first reading. Board Action. pg 52

ADJOURNMENT

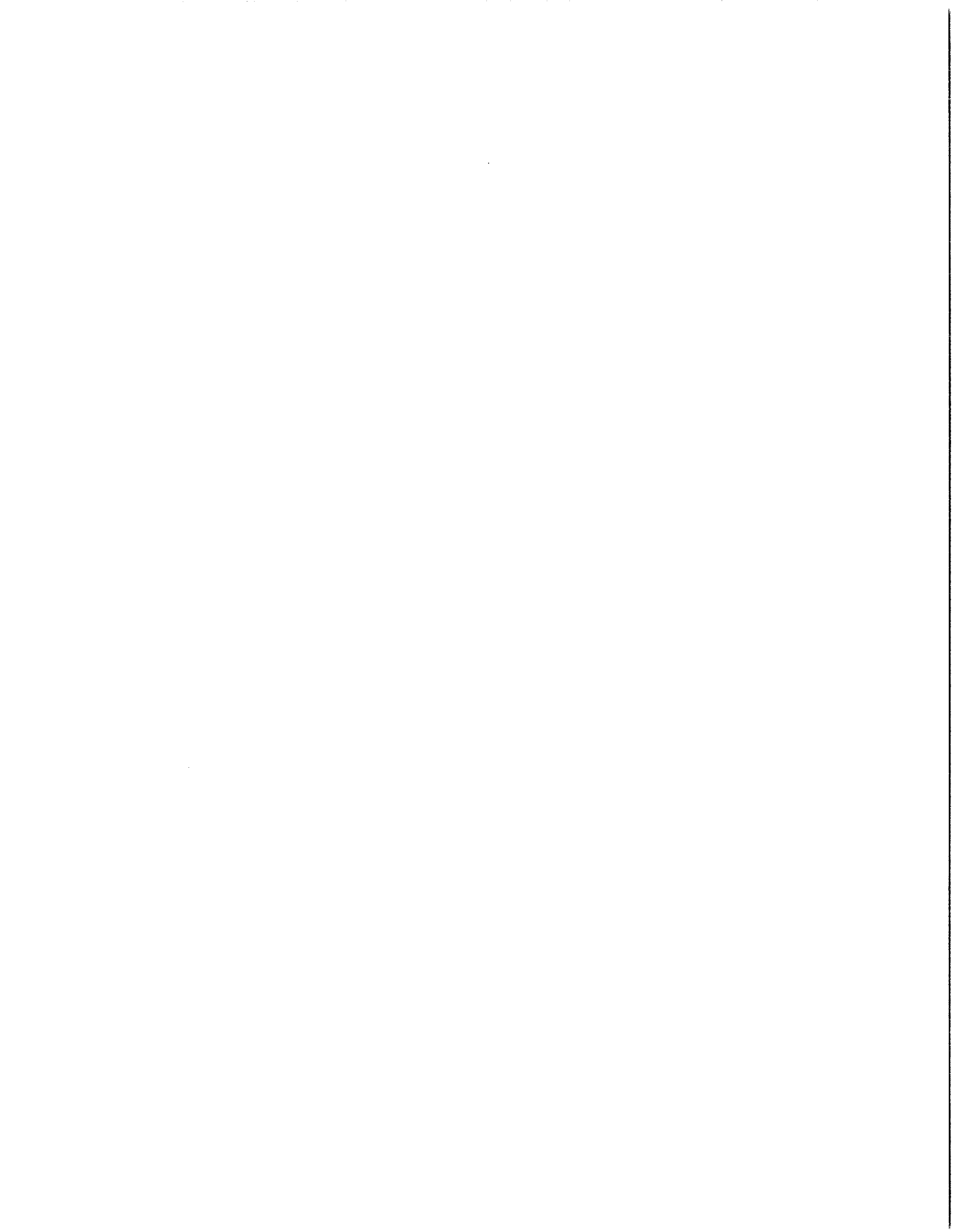
General Information
Accessible Public Meetings

NOTE: UPON REQUEST THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT WILL PROVIDE WRITTEN AGENDA MATERIALS IN APPROPRIATE ALTERNATIVE FORMATS, OR DISABILITY-RELATED MODIFICATION OR DISABILITIES TO PARTICIPATE IN PUBLIC MEETINGS. PLEASE SEND A WRITTEN REQUEST, INCLUDING YOUR NAME, MAILING ADDRESS, PHONE NUMBER AND A BRIEF DESCRIPTION OF THE REQUESTED MATERIALS AND PREFERRED ALTERNATIVE FORMAT OR AUXILIARY AID OR SERVICE AT LEAST 10 DAYS BEFORE THE MEETING. REQUESTS SHOULD BE SENT TO:

DISTRICT SECRETARY STEPHANIE FRIES, COMMUNITY SERVICES DISTRICT, 217 ARLINGTON AVE., KENSINGTON, CA 94707

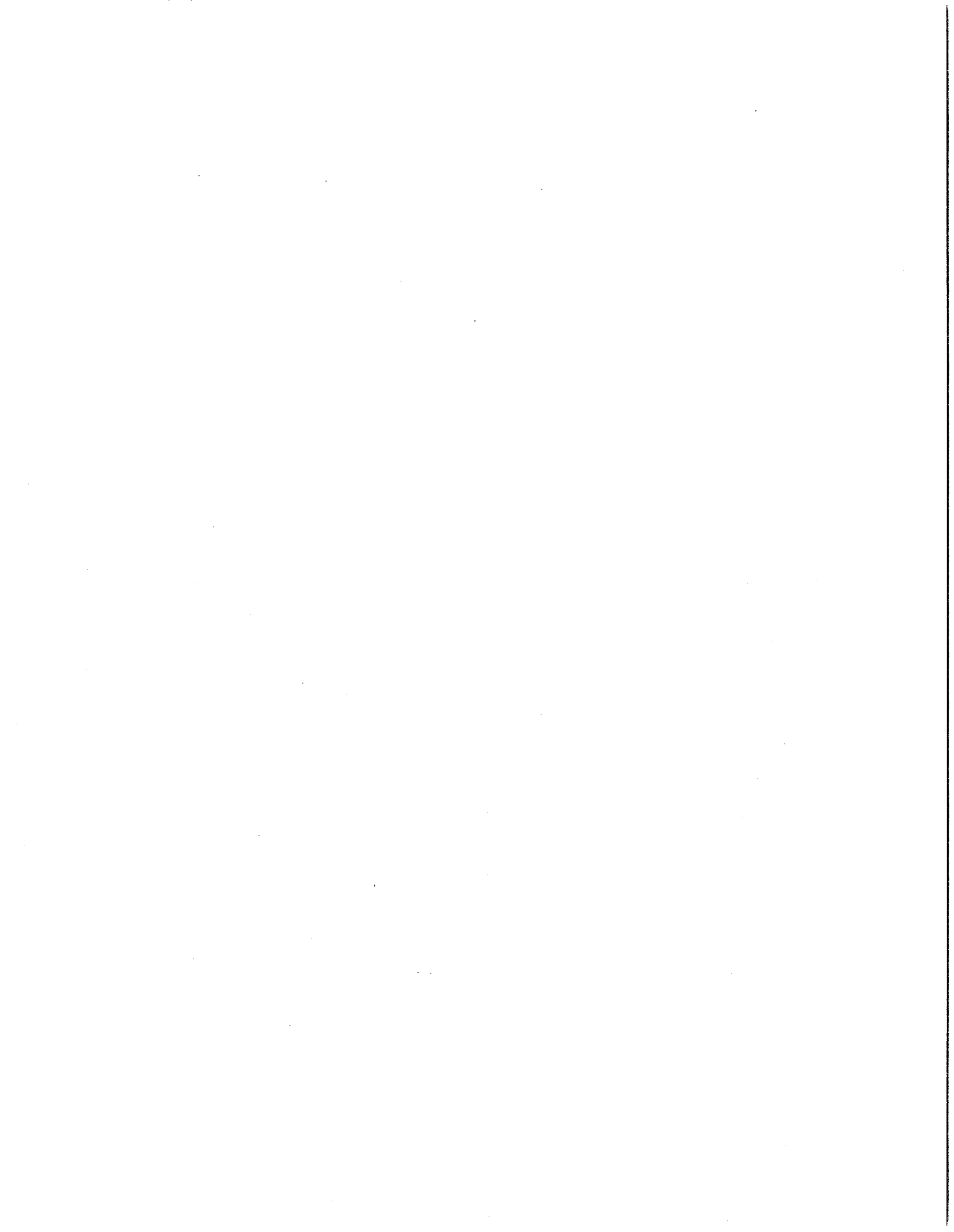
POSTED: Public Safety Building-Colusa Food-Library-Arlington Kiosk- and at www.kensingtoncalifornia.org

Complete agenda packets are available at the Public Safety Building and the Library.



CONSENT CALENDAR

- Minutes
- Profit & Loss Budget Performance
- Board Member Reports
- Correspondence
- Police Department Update
- Monthly Calendar
- Recreation Report
- General Manager Update



KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

Meeting Minutes for 02/11/2010

AGENDA

A Regular meeting of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday February 11, 2010, 7:00 PM , at the Community Center, 59 Arlington Avenue, Kensington, California.

The board entered into Open Session at 7:00 PM.

ATTENDEES

Elected Members	Guests/Presenters:	
Charles Toombs, President	Lynn Wolter	
John Stein, Vice President	Joan Gallegos	
Patricia M. McLaughlin, Director	Joel Koosed	
Cathie Kosel, Director	Linda Lipscomb	
	Andrew Reed	
	Ray Baraza	
	Nina Ramsey	
Staff Members		
Gregory E. Harman, General Manager/ Chief of Police		
Stephanie Fries, District Secretary		

ANNOUNCEMENTS: None

PUBLIC COMMENTS

Lynn Wolter, resident, requested revisions to the minutes of the January 14, 2010 and December 10, 2009 meetings and asked President Toombs to clarify his comment at the last meeting regarding whether or not members of the public can pull items from the Consent Calendar. President Toombs responded by indicating that the public may comment on items from the Consent Calendar, but only the Board has the authority to actually pull items from the Consent Calendar.

Ray Baraza, resident, commented that KMAC appreciates General Manager / Chief of Police Gregory Harman's attendance at all of their meetings and thanked him for his support.

Joan Gallegos, resident, expressed concern over the absence of posted agendas at the pharmacy kiosk and market bulletin board. General Manager / Chief of Police Gregory Harman responded by noting that the agendas were posted on the evening of Friday February 5, 2010 and when it was discovered that the agendas were no longer there, they were promptly reposted at the pharmacy kiosk and market bulletin board.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

BOARD COMMENTS

Director Kosel commented that four homes in Kensington had been foreclosed on in January alone. Director Kosel also noted that she received the Solid Waste Coordinating Committee Agenda from General Manager / Chief of Police Gregory Harman and was pleased to see the rate comparison included.

President Toombs thanked General Manager / Chief of Police Gregory Harman and Kathy Stein for the excellent E-Waste event. President Toombs also commented that he recently attended a CSDA meeting and learned that there is trend toward doing away with Community Services Districts and noted that this affects every Community Services District in the State.

Director Stein thanked General Manager / Chief of Police Gregory Harman for putting together a great agenda packet for tonight's meeting.

STAFF COMMENTS

General Manager / Chief of Police Gregory Harman commented that the KPPCSD had paid KFPD rent for the first half of the year and had them added as an additional on our insurance.

General Manager / Chief of Police Gregory Harman also commented on the ongoing traffic issues at 46 Arlington Avenue, noting that he met with Jerry Fahey who offered to put up more signage and a radar speed tracker along the curve. Mr. Fahey is also looking into the possibility of putting up a guard rail at the location.

General Manager / Chief of Police Gregory Harman read an email from Bruce Morrow detailing the progress of the Community Center remodel. General Manager / Chief of Police Gregory Harman indicated we are now waiting for Hanson Bridgett to draw up the new contract between KCC & KPPCSD.

General Manager / Chief of Police Gregory Harman announced that street sweeping began in January on the first Friday of the month and County is requesting that vehicles and waste/recycling receptacles be moved on these days.

President Toombs requested to move New Business #1 to the beginning of the meeting.

NEW BUSINESS #1 - Board Consultant Brown Taylor will present to the Board the "General Manager/Chief of Police Annual Goal Setting and Performance Appraisal Process and Procedure Amendment" for the District's Policies & Procedures Manual, first reading.

Brown Taylor, District Consultant, gave a summary of the proposed Policy Manual changes to 2000.25.2, subsections one through five.

BOARD COMMENTS

Vice President Stein requests to amend the proposed Policy Manual changes with the addition of "...which support the District's and Board's goals."

Director McLaughlin requests to amend the proposed Policy Manual changes with the addition of a statement indicating that the Board will establish a timeline annually.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

PUBLIC COMMENTS

Andrew Reed, resident, asked the Board what the process is for establishing goals for the General Manager. President Toombs responded by indicating the Board had previously conducted an evaluation of the General Manager to set goals.

Lynn Wolter, resident, commented that Brown Taylor had previously asked her if she felt confident giving an evaluation of General Manager / Chief of Police Gregory Harman. Ms. Wolter noted that she has observed General Manager / Chief of Police Gregory Harman's performance at meetings and events that KPPCSD Board Members have not been present at and would like to submit her evaluation to the Board.

STAFF COMMENTS

General Manager / Chief of Police Gregory Harman commented that modifying the language of the proposed policy change will require the Board to have a first reading at the next regular meeting.

MOTION: The Board moves to amend the proposed policy changes to include the language "...establish a timeline as soon as feasibly possible." and "...which support the District's and Board's goals."

AYES: Kosel, Toombs, McLaughlin, Stein NOES: 0 ABSENT: Wright

CONSENT CALENDAR

MOTION: The Board moves to adopt items A,C,D,E,F,G,H, and I from the Consent Calendar.

AYES: Kosel, Toombs, McLaughlin, Stein NOES: 0 ABSENT: Wright

MOTION: The Board moves to adopt item B from the Consent Calendar.

AYES: Toombs, McLaughlin, Stein NOES: 0 ABSENT: Wright ABSTAIN: Kosel

OLD BUSINESS #1 - NO ACTION - General Manager Greg Harman will present the Board with "Preliminary Building & Site Plan" for the park restroom for review and comment.

General Manager / Chief of Police Gregory Harman gave a summary of the Preliminary Building & Site Plan for the park restroom.

BOARD COMMENTS

The Board inquired about who will be performing daily maintenance of the park restroom. General Manager / Chief of Police Gregory Harman indicated that Bill Driscoll has been responsible for daily maintenance of the park restrooms in the past and is available to maintain the new park restroom unless the Board wishes to hire someone else to perform the work.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

BOARD COMMENTS

Director Kosel inquired about the color of the park restroom; General Manager / Chief of Police Gregory Harman indicated the restroom will be green and will match Building E.

PUBLIC COMMENTS

Joan Gallegos, resident, asked General Manager / Chief of Police Gregory Harman if the restroom would have an interior escape mechanism if one were to get trapped in the restroom after hours. General Manager / Chief of Police Gregory Harman indicated that the restroom will have an escape mechanism installed.

OLD BUSINESS #2 - NO ACTION - General Manager Greg Harman will present the Board with an update on the Annex remodeling project for Board action.

General Manager / Chief of Police Gregory Harman gave an update of the Annex remodeling project and commented that Jason Kaldis advised against upgrading the Annex Building and suggested using the building for District storage.

BOARD COMMENTS

Vice President Stein commented that the Board has not had sufficient time to discuss all of the possible uses for the Annex building, including using the building for District storage.

Director Kosel commented that it may be worth investigating remodeling the Annex building a little more before throwing it away and requested that General Manager / Chief of Police Gregory Harman find more funding to preserve the Annex building.

PUBLIC COMMENTS

Andrew Reed, resident, suggested that the Board invest in a master planning process with an architect who doesn't have a vested interest in the project.

Linda Lipscomb, resident, commented that a resource such as a building should be kept up and not thrown away.

Lynn Wolter, resident, commented that the District has a Master Plan for the park, but not for the buildings within the park. Ms. Wolter suggested that in tandem with the Master Plan there be a Strategic Plan.

NEW BUSINESS #2 - General Manager Greg Harman will present to the Board Resolution 2010-01, proposing a supplemental special tax for police protection, establishing a date for election, adopting intended ballot language, ordering the consolidation of said election, requesting election service by the Contra Costa Election Division, proposing an ordinance for the said amendment, adopting a method for noticing said ordinance, and directing that the notice be posted and published.

General Manager / Chief of Police Gregory Harman gave a summary of the proposed resolution.

**KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS**

BOARD COMMENTS

Director Kosel commented that she will oppose this resolution unless accurate information showing a need for a tax increase is provided.

PUBLIC COMMENTS

Joan Gallegos, resident, questioned the use of the word 'amendment' when used to refer to the police tax.

MOTION: The Board moves to adopt Resolution 2010-01.

AYES: Toombs, McLaughlin, Stein

NOES: Kosel

ABSENT: Wright

NEW BUSINESS #3 - NO ACTION - General Manager Greg Harman will present to the Board two memos prepared by the District's counsel Patrick Miyaki of Hanson/ Bridgett addressing "Activities Relating to Ballot Measure" and "Ballot Measure- Use of Public Funds for Consultant Activities", for Board review and comment.

General Manager / Chief of Police Gregory Harman gave a summary of the memos prepared by Patrick Miyaki and how they relate to the Board of Directors.

NEW BUSINESS #4 - NO ACTION - General Manager Greg Harman will present to the Board the Fiscal Year 2009/2010 Mid-Year Budget Review for discussion, comment, and possible action.

General Manager / Chief of Police Gregory Harman gave a summary of the 2009 / 2010 mid-year budget review, noting that the District's budget shortfall is \$217,712.00

BOARD COMMENTS

President Toombs inquired about \$100,000 of COPS funds granted in 2008 / 2009 being placed in the 2009 / 2010 budget. General Manager / Chief of Police Gregory Harman indicated that we were granted these funds for 2008 / 2009 but did not receive the funds until 2009 / 2010. General Manager / Chief of Police Gregory Harman will speak with District Accountant Debbie Russell to determine how these funds should be accounted for.

Director Kosel commented that she is disappointed that Brown Taylor was paid \$35,000 over budget and that she will not approve anything that is unaudited.

-NO PUBLIC COMMENTS-

MOTION: President Toombs moves to adjourn the meeting at 9:20pm.

AYES: Toombs, McLaughlin, Stein, Kosel

NOES: 0

ABSENT: Wright

KPPCSD
Profit & Loss Budget Performance
 February 2010

	Feb 10	Budget	Jul '09 - Feb 10	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
400 · Police Activities Revenue					
401 · Levy Tax	0.00	6,000.00	1,223,009.79	1,273,315.09	1,279,315.09
402 · Special Tax-Police	0.00		680,130.00	680,340.00	680,340.00
410 · Police Fees/Service Charges	250.00	250.00	1,597.71	2,000.00	3,000.00
415 · Grants-Police	0.00		1,619.20		
416 · Interest-Police	0.00		2,418.54	9,000.00	18,000.00
418 · Misc Police Income	371.17	1,000.00	8,725.43	8,000.00	12,000.00
Total 400 · Police Activities Revenue	621.17	7,250.00	1,917,500.67	1,972,655.09	1,992,655.09
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L	0.00		30,451.36	29,000.00	29,000.00
426 · Park Donations	0.00		350.00	500.00	1,000.00
427 · Community Center Revenue	450.00	1,250.00	12,156.50	10,000.00	15,000.00
428 · Building E Revenue	0.00		6,000.00		
436 · Interest-Park/Rec	0.00		115.79	350.00	700.00
438 · Misc Park/Rec Rev	169.00		792.05		
420 · Park/Rec Activities Revenue - Other	0.00		650.00		
Total 420 · Park/Rec Activities Revenue	619.00	1,250.00	50,515.70	39,850.00	45,700.00
440 · District Activities Revenue					
448 · Franchise Fees	0.00		13,672.08	14,000.00	21,000.00
456 · Interest-District	0.00		342.04	1,250.00	2,500.00
458 · Misc District Revenue	0.00		5,252.22		
Total 440 · District Activities Revenue	0.00		19,266.34	15,250.00	23,500.00
Total Income	1,240.17	8,500.00	1,987,282.71	2,027,755.09	2,061,855.09
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	68,207.12	77,078.33	536,799.01	616,626.64	924,940.00
504 · Compensated Absences	0.00		17,988.36	10,000.00	10,000.00
506 · Overtime	2,057.33	2,500.00	47,530.93	20,000.00	30,000.00
508 · Salary - Non-Sworn	2,446.25	2,437.50	21,935.00	19,500.00	29,250.00
516 · Uniform Allowance	566.61	666.67	4,399.56	5,333.36	8,000.00
518 · Safety Equipment	0.00	208.33	2,500.00	1,666.64	2,500.00
521-A · Medical/Vision/Dental-Active	3,045.93	10,189.08	101,317.89	81,512.64	242,269.00
521-R · Medical/Vision/Dental-Retired	0.00	9,500.00	60,463.61	76,000.00	114,000.00
522 · Insurance - Police	1,735.37	1,016.67	10,815.86	8,133.36	12,200.00
523 · Social Security/Medicare	1,102.54	1,249.17	10,129.86	9,993.36	14,990.00
524 · Social Security - District	322.70	325.67	2,993.44	2,605.32	3,908.00
527 · PERS - District Portion	21,011.06	24,100.92	168,369.56	192,807.32	289,211.00
528 · PERS - Officers Portion	6,189.60	6,997.08	49,883.83	55,976.64	83,965.00
530 · Workers Comp	123.75		47,811.14	46,279.00	46,279.00
Total 500 · Police Sal & Ben	106,808.26	136,269.42	1,082,938.05	1,146,434.28	1,811,512.00
550 · Other Police Expenses					

KPPCSD
Profit & Loss Budget Performance
 February 2010

	Feb 10	Budget	Jul '09 - Feb 10	YTD Budget	Annual Budget
552 · Expendable Police Supplies	27.31	166.67	1,953.89	1,333.32	2,000.00
553 · Range/Ammunition Supplies	0.00		1,840.09	2,000.00	2,000.00
562 · Vehicle Operation	3,770.81	3,000.00	22,697.91	24,000.00	36,000.00
564 · Communications (RPD)	0.00	9,380.00	43,801.61	75,040.00	112,560.00
566 · Radio Maintenance	0.00	366.67	0.00	2,933.36	4,400.00
568 · Prisoner/Case Exp./Booking	362.13	416.67	2,501.33	3,333.32	5,000.00
570 · Training	553.87	1,000.00	7,519.43	8,000.00	12,000.00
572 · Recruiting	330.00	637.50	9,174.21	5,100.00	7,650.00
574 · Reserve Officers	2,314.77	166.67	7,694.25	1,333.36	2,000.00
576 · Misc. Meals & Travel	1.50	250.00	499.24	2,000.00	3,000.00
580 · Utilities - Police	705.69	666.67	4,700.31	5,333.32	8,000.00
581 · Bldg Repairs/Maint.	15.15	166.67	138.66	1,333.32	2,000.00
582 · Expendable Office Supplies	142.89	500.00	6,830.89	4,000.00	6,000.00
588 · Telephone(+Rich. Line)	682.97	920.67	5,556.37	7,365.36	11,048.00
590 · Housekeeping	302.21	416.66	3,469.21	3,333.32	5,000.00
592 · Publications	81.94	250.00	2,911.58	2,000.00	3,000.00
594 · Community Policing	0.00	416.67	4,294.45	3,333.36	5,000.00
596 · WEST-NET/CAL I.D.	0.00		12,471.00	12,472.00	12,472.00
598 · COPS Special Fund	3,494.47	2,622.50	24,433.99	20,980.00	31,470.00
Total 550 · Other Police Expenses	12,785.71	21,344.02	162,488.42	185,224.04	270,600.00
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	815.00	812.50	7,312.00	6,500.00	9,750.00
602 · Custodian	1,750.00	1,895.83	14,000.00	15,166.64	22,750.00
623 · Social Security/Medicare - Dist	0.00	62.17	0.00	497.36	746.00
Total 600 · Park/Rec Sal & Ben	2,565.00	2,770.50	21,312.00	22,164.00	33,246.00
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center	220.99	333.33	585.36	2,666.64	4,000.00
643 · Janitorial Supplies	0.00		118.30	1,500.00	1,500.00
646 · Community Center Repairs	151.11	200.00	151.11	800.00	1,000.00
640 · Community Center Expenses - Other	0.00		81.38		
Total 640 · Community Center Expenses	372.10	533.33	936.15	4,966.64	6,500.00
650 · Building E Expenses					
658 · Bldg E Misc	0.00		-13.22		
Total 650 · Building E Expenses	0.00		-13.22		
660 · Annex Expenses					
662 · Utilities - Annex	26.55	41.67	784.65	333.32	500.00
Total 660 · Annex Expenses	26.55	41.67	784.65	333.32	500.00
672 · Kensington Park O&M	3,603.44	4,400.00	31,066.40	35,200.00	52,800.00
678 · Misc Park/Rec Expense	0.00	500.00	2,944.25	1,500.00	2,000.00
Total 635 · Park/Recreation Expenses	4,002.09	5,475.00	35,718.23	41,999.96	61,800.00

KPPCSD
Profit & Loss Budget Performance
 February 2010

	Feb 10	Budget	Jul '09 - Feb 10	YTD Budget	Annual Budget
800 · District Expenses					
810 · Computer Maintenance	868.12	1,266.67	14,045.45	17,833.35	22,900.00
820 · Cannon Copier Contract	451.35	458.33	6,677.57	3,666.64	5,500.00
830 · Legal (District/Personnel)	837.00	4,166.67	31,045.56	33,333.36	50,000.00
835 · Consultanting	64.00	833.33	44,816.50	6,666.64	10,000.00
840 · Accounting	300.00	4,000.00	2,940.00	12,011.12	21,800.00
850 · Insurance	0.00		0.00	30,000.00	30,000.00
860 · Election	10,329.00	8,000.00	10,714.79	8,000.00	8,000.00
865 · Police Bldg. Lease	14,000.00	3,567.67	28,000.00	28,541.36	42,812.00
870 · County Expenditures	-69.90		8,537.34	5,000.00	18,600.00
890 · Waste/Recycle	0.00	2,500.00	30,176.58	30,000.00	30,000.00
898 · Misc. Expenses/Lobbyist	31.41	779.17	4,333.71	6,233.36	9,350.00
Total 800 · District Expenses	26,810.98	25,571.84	181,287.50	181,285.83	248,962.00
950 · Capital Outlay					
972 · Park Buildings Improvement	610.40		1,105.40		
Total 950 · Capital Outlay	610.40		1,105.40		
997 · Payroll Expenses	0.00		0.00		
Total Expense	153,582.44	191,430.78	1,484,849.60	1,577,108.11	2,426,120.00
Net Ordinary Income	-152,342.27	-182,930.78	502,433.11	450,646.98	-364,264.91
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-178,410.52		
710 · Bond Admin.	0.00		1,703.98		
715 · Bond Interest Income	0.00		-211.41		
720 · Bond Principal	0.00		101,987.21		
730 · Bond Interest	0.00		32,331.87		
Total 700 · Bond Issue Expenses	0.00		-42,598.87		
Total Other Expense	0.00		-42,598.87		
Net Other Income	0.00	0.00	42,598.87	0.00	0.00
	-152,342.27	-182,930.78	545,031.98	450,646.98	-364,264.91

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

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

FORWARDED TO:

Date: Thursday, March 04, 2010

Subject: February 2010 Profit & Loss Variance Report

The following are the most significant budget variances for the month:

	Feb	Budgeted	Jul-Feb	YTD Budgeted
502 Salary-Officers	\$68,207	\$77,078	\$536,799	\$616,626

We continue to save on officer salaries as we maintain 9 sworn officers.

506 Overtime	\$2,057	\$2,500	\$47,530	\$20,000
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In January, with the restructuring of officer's schedules, we were able to eliminate the increase in overtime due to the 12 hour shifts. We still need to pay overtime to cover for officers out sick, at training, on vacation, court, or during investigations. However, the savings we have incurred as a result of not hiring to our authorized strength of 10 sworn officers has more than covered this increase in overtime.

521A Medical	\$3,045	\$10,189	\$101,317	\$81,512
521R	\$0	\$9,500	\$60,463	\$76,000

CALPERS sent us an invoice claiming we were behind two months of payments. Payment was made while CALPERS checked their records and confirmed they made a mistake. Two months of premiums have been credited.

527 PERS	\$21,011	\$24,100	\$168,369	\$192,807
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We continue to save on PERS expenses due to maintaining staff at 9 officers.

574 Res Officers	\$2,314	\$166	\$7,694	\$1,333
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Costs of the equipment (Bullet proof vests) for the four new reserve officers.

830 Legal	\$837	\$4,166	\$31,045	\$33,333
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Legal costs are back on track with budget estimates.

860 Election	\$10,329	\$8,000	\$10,714	\$8,000
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Costs to hold supplemental police tax election was not anticipated at the time the budget was prepared.

Greg Harman
General Manager

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



455 GOLDEN GATE AVENUE, SUITE 11000
SAN FRANCISCO, CA 94102-7004

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E-Mail: Judith.Loach@doj.ca.gov

February 19, 2010

Kensington Police Chief Greg Harman
Kensington Police Department
217 Arlington Avenue
Kensington, CA 94707-1401

Re: Officer Rodney Martinez

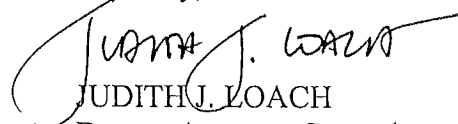
Dear Chief Harman:

On February 18, 2010, I had to enlist the help of the Kensington Police Department. My mother lives alone at _____ in Kensington. I was aware on the evening of February 17, 2010, that she was emotionally upset regarding the prospect of having to put down her beloved dog, Lanie. On the morning of February 18, I telephoned her over a two hour period but her line was consistently "busy." Fearing that something had happened, I then enlisted the assistance of the Kensington Police Department.


I understand that Police Officer Rodney Martinez was dispatched to my mother's home. He called me at the Attorney General's Office to report that my mother was physically fine, but quite emotionally upset. Officer Martinez allowed me to speak to my mother on his cell phone and I then learned that Lanie had been put down. Upon arriving at my mother's home, she related that Officer Martinez treated her with the upmost respect and kindness, and even took the time to relate to her the dogs that he owned and his understanding of her emotional grief.

I have represented the California Highway Patrol for the past decade as a Deputy Attorney General. I have the utmost respect for all state law enforcement officers. I want to commend and thank Officer Martinez for his actions on February 18, 2010. His professionalism, kindness and understanding in dealing with my distraught mother are a tribute to the Kensington Police Department.

Sincerely,


JUDITH L. LOACH
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

 cc: Officer Rodney Martinez
FILE, BUREAU

February 2010 Police Department Report

March 4, 2010

- Department Personnel

We are currently staffed at 9 sworn positions, with an additional 6 reserve officers, and are continuing our recruitment of both officer and reserve officer candidates.

- Commendations and Correspondence

- Officer Rodney Martinez received a letter of appreciation from Judith Loach, a California Deputy Attorney General, for his professionalism, kindness, and understanding during a welfare check he conducted on her mother, a resident of Kensington.

- Investigation of Alleged Misconduct

- Department Investigation #09-06 was initiated on December 24th on an allegation that an officer was rude during a disturbance call for service. The investigation is continuing by Sergeant Khan.

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

- The Ring Time Report for January shows that of the 88 total "911" calls received, 8 had a ring time of over 20 seconds. Average ring time was 7.3 seconds.

Of those, three had ring times of over 30 seconds. The first and second occurred on 01-12-10, at 6:23 PM, and were for the same call for service. The reporting parties indicated that they heard a "pop" and saw a flash of light. The source of the incident was an electrical short of a generator.

The third occurred on 01-20-10, at 8:36 AM and was a call on the fire dispatch line for an unknown reason.

- Communication Center Service Complaints

- No complaints received this month however, ***this is a good time to remind everyone that for police non-emergencies, you need to contact the dispatch center at "236-0474" and not the KPPCSD business line of 526-4141.*** The KPPCSD business line is only

monitored 6 hours a day during the week and should not be used to report police matters.

- Community Networking

- On 02-01-10, Chief Harman attended the Kensington Community Council meeting.
- On 02-05-10, Officer Martinez participated in the Kensington Hilltop walk to school event.
- On 02-08-10, Chief Harman attended the Kensington Public Safety Council meeting.

The Kensington Public Safety Council has expanded upon the issues of police services to include those of emergency preparedness and other public safety issues affecting the community. It is hoped that by meeting in the evenings, we will be able to increase community participation and feedback on those issues concerning Kensington.

The next meeting is scheduled for Monday, March 8th, at 6:30 PM at the Community Center, Room 3. The agenda for this meeting is to set the direction and policies for the group.

- On 02-09-10, Chief Harman, Jerry Fahy of the Contra Costa County Public Works Department, and Kate Rauch of John Gioia's office met with residents of the unit block of Arlington Avenue to discuss concerns regarding traffic issues in the area. Our next meeting is scheduled for March 30th.
- On 02-11-10, Officer Martinez attended Kensington Seniors Program.
- On 02-16-10, Chief Harman chaired the Solid Waste Coordinating Committee meeting.
- On 02-23-10, Chief Harman attended the KMAC meeting at which the Park Restroom Committee provided the KMAC Board an overview of the Park Restroom Project and received a positive recommendation.
- On 02-24-10, Chief Harman attended the "Tree Dedication in Remembrance of Fallen Officers" at the Pleasant Hill Park. Following the dedication he attended the Contra Costa County Police Chief's Association meeting at the Pleasant Hill Police

Department.

- Community Criminal Activity
 - This section of the report has been prepared by the Watch Commanders reporting on their areas of responsibility.
- Watch Commander Reports
- **Sergeant Khan Team 1**

SIGNIFICANT CASES/ EVENTS:

- 10-476 On 2/1/10 at 0937 hrs. Officer Wilson took an auto burglary case on Highland Blvd.
- 10-507 On 2/2/10 at 2344 hrs. Officers Stegman and Hui arrested a subject at Arlington Ave. and Coventry Rd. who was in possession of a deadly weapon. The subject has a long criminal history.
- 10-563 On 2/7/10 at 0900 hrs. Officer Ramos investigated an attempted residential burglary on Windsor Ave.
- 10-567 On 2/7/10 at 1501 hrs. Officer Ramos contacted a juvenile and young adult in a vehicle on Norwood Ave. A search of the vehicle yielded a small amount of marijuana. The marijuana was seized for destruction, the young adult was admonished, and the juvenile was turned over to his parents.
- 10-605 On 2/10/10 at 0856 hrs. Officer Wilson took a petty theft report from a teacher at the Kensington Hilltop School.
- 10-606 On 2/10/10 at 1224 hrs. Officer Ramos took a petty theft case of plants stolen from a yard on Norwood Ave.
- 10-648 On 2/15/10 at 0805 hrs. Officer Wilson took an auto theft report from a resident on Cowper Ave.
- 10-651 On 2/15/10 at 1530 hrs. Officer Ramos took an auto theft report from a resident on Coventry Rd.
- 10-653 On 2/15/10 at 1749 hrs. Officer Ramos took a petty theft report where a plant was stolen on Anson Way.

BRIEFING/ TRAINING:

Officers Stegman and Wilson continued to conduct field training for the new reserve officers. Officers Stegman and Ramos attended a Glock armorer's school.

SERGEANT'S SUMMARY:

There have been several thefts from vehicles or vehicle thefts this month. This is a good time to remind everyone to be more vigilant. When it comes to personal safety you should never cut corners or get lazy. I have listed a few tips that will help you be safer and protect your personal property.

- Listen to that voice in the back of your head. If you are in a situation that does not feel right, it might be time to get out.
- Use light to your benefit. Park and travel in well lit areas and use lights around your home.
- If you have a garage, put your car in it.
- Use locks and alarms if you have them.
- Don't leave valuables in plain sight.
- If you see a suspicious person, call KPD immediately.

Using the tips listed above, you and your property will be much safer. This is also a good time to remind residents that KPD does home security checks. Feel free to contact me if you would like us to do one.

TEAM STATISTICS:

Officer	<u>Wilson</u>	<u>Stegman</u>	<u>Ramos</u>
Days Worked	11	15	16
Traffic Stops (no cite)	8	39	9
Moving Citations	0	11	12
Parking Citations	0	2	0
Vacation/ Security Checks	32	20	16
Field Interviews (FI's)	2	2	0
Cases	4	1	7
Self Initiated Cases	0	2	1
Arrests	0	2	0
Calls for Service	18	21	24

.. Sergeant Hull Team 2

TEAM STATISTICS

Officer:	Martinez (K31) (0600-1800)	Medina (K35) (1800-0600)
Days Worked	16	16
Traffic Stops	14	0
Moving Citations	0	0
Parking Citations	0	0
Vacation/Security Checks	5	7
FI-Field Interviews	1	0
Cases	4	1
Self Initiated Cases	0	0
Arrests	1	0
Calls for Service	11	9

- Officer Medina was scheduled for Collision Investigation Training for one week 2-22-10 thru 2-26-10. On 2-19-10, he submitted a memo stating he would be unable to attend this training.
- Sgt. Hull took 12 hours comp. time.
- Officer Martinez attended Kensington Seniors Program.
- Officer Martinez made one arrest of a known Kensington burglar for a warrant for possession of burglary tools from East Bay Regional Parks Police.
- Officer Martinez attended Kensington Hilltop walk to school event.

SIGNIFICANT EVENTS:

2010-532 – On 2-4-2010, at approximately 1615 hours, Officer Martinez responded to the 00 block of Arlmont Dr. to a report of residential burglary. A rear sliding glass door was found unlocked which is believed to be the suspect(s) point of entry. The victim did not want fingerprints checked for due to the mess the fingerprint powder would leave. The unknown suspect stole several items of jewelry.

2010-0540 – On 2-5-2010, at approximately 0023 hours, Officer Medina responded to the 200 block of Los Altos Dr. to an attempt residential burglary. An unknown suspect broke tempered glass adjacent to a door locking mechanism to gain entry into the residence under construction. A neighbor heard the alarm sound and summoned for police assistance. The residence was searched but no suspect was located and nothing was stolen.

2010-0620 – On 2-11-2010, at approximately 1810 hours, Officer Medina responded to a report of arson in the amphitheater behind the Kensington Community Center. Officer Medina located evidence of bamboo, twigs, and leaves that had been stuffed inside a soda bottle and a 16oz. frosting container and ignited. There was no damage to the amphitheater or the Community Center located.

2010-0629 – On 2-12-2010, at approximately 0601hours, Officer Martinez was dispatched to a report of burglary at a business in the 300 block of Arlington Avenue. An unknown suspect stole 60 packs of cigarettes and left the interior of the business in shambles. A resident may have seen the suspect but could not see clearly because the suspect stood in the shadows of the trees where they stared at each other for a short time when the suspect waved. Feeling uncomfortable with this encounter the resident returned home and phone for police. The suspect was not located by KPD.

BRIEFING/TRAINING:

- Reviewed KPD Policy 362 – Identity Theft.
- Reviewed KPD Policy 364 – Private Persons Arrest.
- Reviewed Winter 2010 Point of View – Searches Incident to Arrest.
- Reviewed KPD Policy 366 – Anti Reproductive Rights Crime Reporting.
- Reviewed Spring 2009 Point of View – Pat Searches During Traffic Stops.
- Reviewed KPD Policy 368 – Limited English Proficiency Service.
- Reviewed Winter 2009 Point of View – 5150's With a Gun.
- Reviewed KPD Policy 370 – Hearing Impaired/Disabled Communications.
- Reviewed KPD Policy 374 – DNA Samples.
- Reviewed Domestic Violence Laws.
- Reviewed KPD Policy 372 – Mandatory School Employee Reporting.
- Viewed Case Law DVD – Firearm Seizure and Disposition.
- Reviewed KPD Policy 400 – Patrol Function.
- Reviewed KPD Policy 402 – Race Based Profiling.
- Reviewed KPD Policy 403 – Bias Based Policing/Profiling.
- Reviewed KPD Policy 404 – Briefing Training.
- Briefed Contra Costa County Adult Protective Services Elder Dependant Abuse Guidelines.
- Viewed Case Law DVD – Interrogations.
- Reviewed KPD Policy 406 – Crime and Disaster Scene Integrity.
- Reviewed County Code Section 56-4 – Solicitors and Peddlers.
- Viewed Case Law DVD – Frisks for Burglary Tools and More.

SERGEANT'S SUMMARY:

I cannot emphasize enough the importance of speaking to children about the danger of fires. After reading the above KPD Case 2010-0620, which I suspect is youth playing with fire, I can only think of the Oakland Hills Firestorm of 1991. Please help prevent a catastrophe of damaged property and the possible loss of life and speak to family members and neighbors alike about the dangers of fires.

I would like to thank the resident who observed the protagonists in this potential tragedy for their actions of promptly contacting KPD about this matter. It is only through the partnership of the community with its police department can threats to the public safety be successfully forestalled and crime prevented and/or solved.

•• **Detective Keith Barrow**

SIGNIFICANT EVENTS:

2010-59 Restraining Order Violation Arrest

I arrested a male subject for a suspected restraining order violation after stopping to assist two people arguing on the side of the freeway. This case has been filed with the Richmond District Attorney. **The District Attorney declined to prosecute this case.**

2010-595 Outside Assist/Parole Search

Members of the Kensington Police Department assisted Oakland Police Department Officers in the surveillance of a Kensington residence. The Officers were acting on information that they had received concerning a wanted murder suspect from the City of Oakland. The two day operation ended without the apprehension of the suspect. The suspect was not at present or ever believed to have been a resident of Kensington. During the investigation two subjects were identified as parolees staying at the residence. I checked with California State Parole Agents who informed me the two subjects were out of compliance and their paroles were to be revoked in the near future. Weeks later six West-NET Detectives, Sgt. Khan, Officer Ramos and I conducted a parole search of the residence for the two parolees. We contacted the resident who was alone but a search of the residence yielded illegal weapons that were confiscated. **This case is to be submitted to the Richmond District Attorney for filing of charges.**

2010-629 Commercial Burglary.

An unknown suspect(s) smashed a window to a commercial business taking no less than 60 packs of cigarettes and a boom box portable radio. This case is under investigation.

On 02-15-10 through 02-16-10, I worked the late evening hours and into the early morning looking for potential auto burglary and vehicle theft suspects in an unmarked police vehicle. I made approximately 20 vehicle stops and pedestrian contacts. No arrests were made but since this operation the District of Kensington has not experienced these types of crimes. I will be trying to do more of these details in the future.

On 02-25-2010, during the late evening hours, six West-NET Detectives, Sgt. Hull, Officer Medina and I conducted surveillance throughout the District of Kensington and the El Cerrito Hills. We were driving marked and unmarked police vehicles looking for potential auto burglary and vehicle theft suspects. We made several traffic and pedestrian contacts with no arrests made. The day's following the operation Kensington has not experienced these types of crimes. We are hoping to continue these types of criminal suppression operations in the future.

KPD INVESTIGATIONS INFORMATION:

2009-423 Identity Theft

A suspect has been identified in this case and is being held to answer for other crimes in a neighboring County. **After follow-up investigation this case will be filed with the Richmond District Attorney.**

2010-431 Attempted Grand Theft

Two suspects were confronted in the front yard of a residence while they were taking a generator. The suspects fled the scene without the property in a 2006 white Ford truck and the victim was able to obtain the vehicles license plate number. Through a records check we identified the owner who was the victim of a license plate theft in early January. The owner of the license plate had reported it missing to DMV but not police. Case suspended at this time.

2010-449 Hit and Run Property Damage only Vehicle Accident.

A suspected yellow over green colored taxi cab exited the roadway and into the front yard of an Arlington Avenue residence. The taxi left the scene without reporting the accident. **A suspect was identified and the case was filed with the Richmond District Attorney.**

2009-3190 Residential Burglary.

This case is currently going to trial.

2009-3610 / 2009-3975 Vandalism and annoying phone calls.

These cases were submitted to the Richmond District Attorney for filing of charges.

2009-4008 Robbery, Firearm.

Unknown suspect(s) attempted to rob a woman walking south bound 320 Arlington Avenue with a firearm. The woman did not have any money and the suspect walked south bound Arlington Avenue. **If you have any information to aid in the apprehension of the suspect(s) please call Detective Barrow at 510-526-4141 ex. 26 Case open and under investigation.**

2009-5446 Vandalism

On 12-02-09, from 2100hrs until 12-03-09 0700 hrs, four parked vehicles had there windows shot out with a BB gun in the area of Colusa Avenue and Berkeley Park Blvd. Berkeley and Albany Police Departments also had numerous reports of similar windows of vehicles being shot out during the same time periods. We believe the same suspects are responsible for all of these crimes. No arrests have been made. **If you have any information to aid in the apprehension of the suspect(s) please call Detective Barrow at 510-526-4141 ex. 26 Case open and under investigation.**

2007-3645 Lewd or Lascivious Acts with a Child under the age of 14 years.
This case is under investigation.

KPD INVESTIGATIONS

- Made several court runs for filling cases, and citation drop off's.
- Updated the KPD residential burglary log.
- I oversaw the up dating and change out of three department computers. I also was able to have the RPD Systems Administrator update some of our systems programs.

WEST-NET ASIGNMENT:

I am currently assigned to the West Contra Costa County Narcotic Enforcement Team (West-NET) one day per week.

While on this assignment I work with other West Contra Costa County law enforcement officers and agencies. I participate and aid in the service of search warrants, surveillance, and on going narcotics investigations.

INVESTIGATORS SUMMARY:

In the month of February the District of Kensington saw a reduction in vehicle accidents and overall crime. The District of Kensington sustained 1 non-injury vehicle accident and 0 Hit and Run Vehicle Accidents, 0 Injury Accidents, 1 Residential Burglary, 2 Attempted Residential Burglary, 1 Commercial Burglary, 1 Auto Burglary, 0 Thefts from unlocked vehicles, 2 Stolen Vehicles, 3 Petty Thefts, 0 Vandalisms, 0 Attempted Grand Thefts and 0 Grand Theft.

•• Chief Harman

During the month of February, Detective Barrow demonstrated not only the importance of having a full time investigator, but also how he has successfully developed in the position. Working from information he developed with detectives from San Mateo County, he was able to identify a suspect in one of our identity theft investigations. Then, I told him I needed closure in a hit and run case before my meeting with a concerned citizens group. The case involved a taxi driver that had fled the scene of an accident. Detective Barrow went to all of the local cab companies, identified the possible companies that the driver may have worked for based on witness descriptions of the cab, developed rapport with the owners of two suspected cab companies, and through his investigation was able to identify the suspect driver. The driver came to the station, admitted his guilt, and charges are being filed with the District Attorney's Office.

Detective Barrow also assisted Oakland police officers in attempting to capture a homicide suspect believed to be hiding out in Kensington. Although the suspect

was not located, information was developed regarding two parolees living at the suspected residence. When returning to the residence with officers from Westnet, illegal weapons were confiscated and charges are being filed against another parolee living at the residence in question.

Finally, after an increase in thefts from vehicles and stolen vehicles occurring in Kensington, Detective Barrow enlisted the assistance of Westnet officers to conduct a night time "saturation" patrol of Kensington and the El Cerrito hills.

Congratulations to Officer Eric Stegman, who was selected by the Kensington Police Officers Association to be our representative for the Richmond Elks Lodge "Officer of the Year Award for 2009".

Finally, I regret to announce the passing of retired police officer Phil Balousek on February 28th. Phil began working in Kensington in August of 1998, following his retirement from the Oakland Police Department. A medical condition forced Phil to take leave in 2005, and last April, he officially retired from our department. Although I never had the pleasure of working with Phil, I did have the honor of being at his retirement dinner held last April at the Community Center. Those wishing to pay their last respects may contact me regarding how to do so.

March 2010

March 2010

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2010

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 28	Mar 1 7:00pm Pack 82; CC 7:00pm KCC; CCM	2 7:00pm Troop 100; C 7:00pm Finance Com	3 6:00pm Cert Prog	4 7:30pm EBC; CC3	5	6 8:00am FKL; CCM
7	8 7:00pm Pack 82; CC 7:30pm KARO; CC3	9 7:00pm Troop 100; C	10 7:00pm KFD Mtg; CC 7:30pm KFD Mtg; CC	11 7:00pm GPFF; CCM 7:00pm KPPCSD, CC3	12 5:00pm KCC Spring C	13 KCC Spring Celebrat 7:00pm KFD Mtg; CC
14	15 4:00pm Daisy Troop; 7:00pm Pack 82; CC	16 7:00pm Troop 100; C	17	18 7:30pm EBC; CC3	19	20 7:00pm CC Rental; C
21	22 7:00pm Pack 82; CC	23 7:00pm Troop 100; C	24	25	26	27
28	29 8:00am KIC; CC3 7:00pm Pack 82; CC	30 7:00pm Troop 100; C 7:30pm KMAC, CC3	31	Apr 1	2	3

Feb 28 - Mar 6

Mar 7 - 13

Mar 14 - 20

Mar 21 - 27

Mar 28 - Apr 3

April 2010

April 2010

S	M	T	W	T	F	S
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 2010

S	M	T	W	T	F	S
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 28 - Apr 3	Mar 28	29	30	31	Apr 1	2	3
Apr 4 - 10	4	5	6	7	8	9	10
Apr 11 - 17	11	12	13	14	15	16	17
Apr 18 - 24	18	19	20	21	22	23	24
Apr 25 - May 1	25	26	27	28	29	30	May 1
		7:00pm Pack 82; CC 7:00pm KCC; CCM	7:00pm Troop 100; C		7:00pm GPFF; CCM 7:00pm KPPCSD, CC3		6:00pm CC Rental; CI
		7:00pm Pack 82; CC 7:30pm KARO; CC3	7:00pm KFD Mtg; CC 7:00pm Troop 100; C	7:00pm KFD Mtg; CC	7:30pm EBC; CC3		8:00am CC Rental; CI
	8:00am CC Rental; CI	4:00pm Daisy Troop; 7:00pm Pack 82; CC	7:00pm Troop 100; C				12:00pm Pack 82; CCI
		8:00am KIC; CC3 7:00pm Pack 82; CC	7:00pm Troop 100; C 7:30pm KMAC, CC3				

Office Report prepared by Esther Hill, Administrator
Kensington Community Council Board Meeting
March 1, 2010

KASEP:

We'll hold spring registration for KASEP on Wednesday, March 3, with classes beginning Monday, March 22. We'll offer 59 classes, plus karate and gymnastics.

I've attached an updated guide for KASEP emergency procedures. Fire Chief Lance Maples provided very helpful feedback about our procedures, and the fire district is donating a number of emergency supply kits to keep in the recreation and community center buildings.

KCC Classes and Events:

Another new session of Pilates I and II starts this Tuesday and Wednesday and continues for six weeks. Paul Grunland and Bob Shaner will lead another Maybeck Estates walking tour on Saturday, May 22. Kristine Hafner and Paul are also discussing a second Kensington Pathways walking tour, perhaps in late summer.

The high school senior picture will be taken on Sunday, May 2. We've posted a "save the date" note in the past two issues of the Outlook.

KCC Summer Day Camp:

Camp registration takes place Wednesday, March 10, starting at 7 pm. Camp flyers and registration forms were mailed on February 12 to families who enrolled in camp last year, and camp flyers were sent home to Kensington Elementary students the week of February 22.

KASEP Emergency Procedures:

- a) In case of a physical injury to a child:
 - i) Stay with the child. Do not allow the child to be moved.
 - ii) Use your cell phone to call the Richmond Dispatch Center at 510-237-3233 or send an adult or responsible child immediately to the pay phone in the Community Center or the KCC office to call 911. Cell phone calls to 911 are routed to the closest CHP dispatch center, in Oakland or Vallejo.
 - iii) When paramedics have arrived call the parents.

- b) In case of fire:
 - i) Take your children in an orderly manner to the library parking lot. **Take your roll book with you.**
 - ii) Possible evacuation sites are: the community center, the Unitarian Church, the elementary school, and the Arlington Community Church. The Red Cross will designate the site based on the nature, location, and extent of damage.
 - iii) If there is access to a telephone, call the parents and tell them where to pick up their child.
 - iv) Stay with the children until a parent or a responsible adult has picked them all up.
 - v) Any adult who picks up a child must sign their name and phone number next to the child's name on the class list.

- c) In case of an earthquake:
 - i) Duck and cover. Everyone should go under a table or stand in a doorframe and cover their head.
 - ii) Walk outside to the field in front of the recreation building. Take roll.
 - iii) Possible evacuation sites are the community center, the Unitarian Church, the elementary school, and the Arlington Community Church. The Red Cross will designate the site based on the nature, location, and extent of damage.
 - iv) Take your children in an orderly manner to the site. **Take your roll book with you.**
 - v) Take roll at the evacuation site. If there is access to a telephone, call the parents and tell them where to pick up their child.
 - vi) Stay with the children until a parent or a responsible adult has picked everyone up.
 - vii) Any adult who picks up a child must sign their name and phone number next to the child's name on the class list.

General Manager February 2010 Report

Budget

Police Tax

At the February 11th Regular Meeting of the KPPCSD Board, the Resolution moving forward with the supplemental police tax was approved and the notice of the purposed ordinance placing the supplemental police tax on the June ballot was published. At the March 11th Regular Meeting of the KPPCSD Board, the public discussion regarding the purposed supplemental police tax will be held and the Board will vote on whether or not to move forward with placing the tax on the June ballot.

COPS Funding

On January 27th, I learned that the COPS Grant allocations may come from a temporary 0.15% Vehicle License Fee (VLF) rate. The rate was imposed May 19, 2009 and now funds a variety of law enforcement programs previously paid for by the state general fund. Based on new VLF revenue estimates, the State has indicated that every city currently participating in the COPS Grant Program could possibly receive the minimum \$100,000.

We have received \$21,000 of the 2009/2010 COPS Fund Allocation so far, and we are waiting for the balance as soon as the funding becomes available. The Board will determine how to allocate the funds at the March 11th meeting.

Kensington Park

Park Restroom

We are continuing to move forward with the park restroom project. We have applied for the Land Use Permit from the County and are beginning to prepare our documents to begin the bid process. A Preliminary Building and Site Plan has been prepared and was presented to KMAC at their February 23rd meeting, in which we received a positive recommendation. I have also prepared and submitted our application for reimbursement to the East Bay Regional Park District Measure WW Grant committee.

Community Center

At the January 14th KPPCSD Board meeting, KCC presented their proposal to the Board for the remodel of the Community Center. Discussions and plans are ongoing with the KCC regarding the remodeling project which is scheduled to begin this summer. Drawings of the purposed project, as well as the restroom project, will be available for viewing at the KCC Spring Event, Saturday, March 13th.

Annex

On January 20th, I met with Jason Kaldis, the architect that has worked on the preliminary plans for the Annex remodel. We examined the repairs and improvements that will be necessary in order to bring the Annex Building up to code for use as a public meeting facility. I will be presenting these findings to the Board again at our March 11th KPPCSD Board Meeting.

Solid Waste

The County Solid Waste Coordinating Committee met on February 16th, at 1:00 PM at the Public Safety Building. The minutes of the meeting will soon be published on our website.

Emergency Preparedness

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

The next meeting of the Kensington Public Safety Council will take place Monday, March 8th, at 6:30 PM at the Community Center Room #3. This will be a very important meeting because members will be discussing the direction and organization the group will be taking in the coming months.

Other District Items of Interest

Traffic

On January 12th and 13th, U.C. Berkeley Traffic Safety Institute came to Kensington to conduct a free traffic survey for our community, with special attention being given to the traffic light at Arlington and Kensington Park Road. I, along with Jerry Fahy of the Contra Costa County Public Works Department met with the investigators to provide information needed to complete the study. It is expected that study will be available to the Board and the public in March.

Additionally, Jerry Fahy, Kate Rauch of John Gioia's office, and I met February 9th with a group of concerned residents to discuss traffic issues in the area of the unit block of Arlington Avenue. Our next meeting is scheduled for March 30th at the Public Safety Building.

Street Sweeping

Street sweeping began in Kensington in January and will be provided at no cost to Kensington by the Contra Costa County Public Works Department. On the first Friday of every month, the County will sweep the streets of Arlington, Coventry, Ardmore, Edgcroft, Lenox, Kingston, Stratford, Beverly, Berkeley Park, Ocean View, Oak View, and Colusa.

Residents are being asked to help by moving their vehicles, garbage and recycling

cans from the street, clearing large debris and obstructions from the gutters, trimming back vegetation along the curb and sidewalk, and not piling leaves or green waste in the roadway.

If we all do our part we can keep Kensington streets clean and help keep pollutants out of our waterways.

Census

During the last week in February, the United States Department of Commerce was in Kensington to begin the 2010 Decennial Census. The process began with the delivery of the census questionnaires and the contacting of some residents. Census Bureau employees will be working in the area through August and they can be identified through identification cards issued by the Census Bureau.

Website

The Board packets, monthly reports, and minutes and recordings of the KPPCSD Board Meetings are available for review on our website at:

www.kensingtoncalifornia.org.

Police

Finally, I regret to announce the passing of retired police officer Phil Balousek on February 28th. Phil began working in Kensington in August of 1998, following his retirement from the Oakland Police Department. A medical condition forced Phil to take leave in 2005, and last April, he officially retired from our department. Although I never had the pleasure of working with Phil, I did have the honor of being at his retirement dinner held last April at the Community Center. Those wishing to pay their last respects may contact me regarding how to do so.

OLD BUSINESS

#1 - General Manager Greg Harman will present the Board with an update on the Annex remodeling project for Board action.

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

From: Gregory E. Harman, General Manager

Date: Thursday, March 04, 2010

Subject: Old Business Item #1 Annex Update

APPROVED YES NO

FORWARDED TO:

On January 20, 2010, I met with Jason Kaldis, the architect that had prepared the drawings for the remodel of the Annex when the District was considering renting the building to a child care provider. At that time, a contract was entered into with Mr. Kaldis for \$12,800, to provide drawings for the remodel of the Annex as a child care center. I informed Mr. Kaldis at this time, the District was moving forward with remodeling the Annex to be used as a public meeting/ community center.

Mr. Kaldis advised me that the change in the buildings use would affect the type and number of restroom fixtures needed to make the building code compliant. For the use of a conference room, "Assembly 2", with 50 occupants, the building would need one male lavatory and three female lavatories.

In reviewing the previous remodel drawings for the child care facility and estimating the new costs of remodeling the Annex for use as a public meeting building, Mr. Kaldis estimated the cost of the remodel to bring the building up to code at \$129,000.

This cost was estimated by using the following costs:

\$1,500	Revised drawings
\$1,500	Prepare the bid work for the project
<u>\$6,000</u>	Project Management (\$1,500 per month for 4 months)
\$9,000	Total architectural costs for project
\$90,000	Estimate for the Annex interior remodel
<u>\$30,000</u>	Estimate for the Annex exterior remodel
\$129,000	Estimated cost of interior & exterior remodel

The drawings for the drainage issue and the outside remodel have been prepared by Jack Griffith at a cost of:

\$3,500	Drawings (Paid)
\$250	Bidding
\$1,000	Construction support

At the time, Carty Construction provided the lowest bid for the outside construction portion of the remodel of \$13,547. This cost added to the additional work to be completed by Jack Griffith would make the cost of the outside Annex remodel to be \$14,797 or half of the \$30,000 estimated by Mr. Kaldis. That would place the estimate for the Annex remodel at \$114,000.

Additionally, the Annex would require to have the dry rot damage corrected. At the time of the initial proposal to remodel the Annex, Mitts Termite had inspected the building and provided an estimate to repair the dry rot damage for \$30,500. I have contacted Mitts Termite and they have indicated that the estimate would remain the same depending on a new inspection to check for additional damage.

That would make the estimated cost for the remodel of the Annex to be used for public and community meetings at \$144,500.00.

OLD BUSINESS

#2 - General Manager Greg Harman will present to the Board the revised Fiscal Year 2009/2010 Mid-Year Budget Review for discussion, comment, and possible action.

Profit & Loss Budget Performance

January 2010

2009/2010 Mid Year Budget Review

Unaudited Jul '09 - Jan 10	Unaudited Annual Budget	Unaudited Adjustments	Unaudited Mid Year Notes
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Ordinary Income/Expense

Income			
400 · Police Activities Revenue			
401 · Levy Tax	1,223,009.79	1,279,315.09	County will make another drop in May followed by a June adjustment
402 · Special Tax-Police	680,130.00	680,340.00	As projected
410 · Police Fees/Service Charges	1,347.71	3,000.00	As projected
415 · Grants-Police	62,731.01	100,000.00	We received the full \$100,000 for Fiscal Year 2008/2009. As of Jan 27th, the State has indicated that they may fund \$100,000 for Fiscal Year 2009/2010. We have reced \$21,000 so far.
416 · Interest-Police	2,418.54	18,000.00	Earned interest below anticipated, -13,000 adjustment to Rev
418 · Misc Police Income	8,354.26	12,000.00	As projected
Total 400 · Police Activities Revenue	1,977,991.31	1,992,655.09	2,079,655.09 Adjusted total
420 · Park/Rec Activities Revenue			
424 · Special Tax-L&L	30,451.36	29,000.00	1,451.00 Collection of past due accounts increased rev \$1,451
426 · Park Donations	350.00	1,000.00	As projected
427 · Community Center Revenue	17,706.50	15,000.00	3,500.00 \$6,000 of this should be in #428. As projected with \$3,500 future rentals
428 · Building E Revenue	6,000.00		See above entry
436 · Interest-Park/Rec	115.79	700.00	Interest below projections
438 · Misc Park/Rec Rev	623.05		
420 · Park/Rec Activities Revenue - Other	650.00		
Total 420 · Park/Rec Activities Revenue	55,896.70	45,700.00	50,651.00 Adjusted total
440 · District Activities Revenue			
448 · Franchise Fees	13,672.08	21,000.00	As projected
456 · Interest-District	342.04	2,500.00	-1,900.00 Below projection. New estimate of \$600.00
458 · Misc District Revenue	1,567.00	1,567.00	Above projections
Total 440 · District Activities Revenue	15,581.12	23,500.00	23,167.00 Adjusted total
Total Income	2,049,469.13	2,061,855.09	2,153,473.09 Adjusted total
Expense			
500 · Police Sal & Ben	468,591.89	924,940.00	-116,000.00 Officer salary savings of \$116,000 due to not staffing 10th position (Sgt)
502 · Salary - Officers			

Profit & Loss Budget Performance

January 2010

2009/2010 Mid Year Budget Review

	Unaudited Jul '09 - Jan 10	Unaudited Annual Budget	Unaudited Adjustments	Unaudited Mid Year Notes
504 · Compensated Absences	17,988.36	10,000.00	8,000.00	Compensated absences increased due to pay off on 2 employees leaving
506 · Overtime	45,473.60	30,000.00		Overtime increased due to coverage issues assoc with working with one less officer. Increase an additional \$15,000
508 · Salary - Non-Sworn	19,488.75	29,250.00		As projected
516 · Uniform Allowance	3,832.95	8,000.00		As projected
518 · Safety Equipment	2,500.00	2,500.00		As projected
521-A · Medical/Vision/Dental-Active	98,271.96	242,269.00		Have not funded GASB 45 yet, as projected
521-R · Medical/Vision/Dental-Retired	60,463.61	114,000.00		As projected
522 · Insurance - Police	9,080.49	12,200.00		As projected
523 · Social Security/Medicare	9,027.32	14,990.00		As projected
524 · Social Security - District	2,670.74	3,908.00		As projected
527 · PERS - District Portion	139,078.32	289,211.00	-35,000.00	Should save additional \$35,000 on \$116,000 salary savings
528 · PERS - Officers Portion	46,164.64	83,965.00	-2,000.00	Should save additional \$2,000 on \$116,000 salary savings
530 · Workers Comp	47,687.39	46,279.00	1,408.00	Increase of \$1,408 in premium
Total 500 · Police Sal & Ben	970,320.02	1,811,512.00	1,667,920.00	Adjusted total
550 · Other Police Expenses				
552 · Expendable Police Supplies	2,050.93	2,000.00	50.00	Over budgeted amount by \$50.00
553 · Range/Ammunition Supplies	1,840.09	2,000.00	1,000.00	Cost of ammo increasing and additional training for 4 reserves will add to this expense \$1,000
562 · Vehicle Operation	22,855.85	36,000.00	3,000.00	Projected expense increase of \$3,000 due to repairs of old fleet (Most recent veh purchase was 2007)
564 · Communications (RPD)	43,801.61	112,560.00		As projected
566 · Radio Maintenance	0.00	4,400.00		Has not been expensed yet
568 · Prisoner/Case Exp./Booking	2,158.20	5,000.00		As projected
570 · Training	6,965.56	12,000.00		As projected
572 · Recruiting	8,844.21	7,650.00	1,214.00	Over budget by \$1,214 so far due to costs of bringing on 4 reserves
574 · Reserve Officers	5,379.48	2,000.00	3,379.00	Over budget by \$3, 379 due to cost of bringing on 4 reserves
576 · Misc. Meals & Travel	497.74	3,000.00		As projected
580 · Utilities - Police	4,664.84	8,000.00		As projected
581 · Bldg Repairs/Maint.	123.51	2,000.00		As projected
582 · Expendable Office Supplies	6,760.69	6,000.00	1,300.00	Over budget by \$760 so far. Est an additional \$1,300
588 · Telephone(+Rich. Line)	5,842.61	11,048.00		As projected
590 · Housekeeping	3,190.00	5,000.00		As projected
592 · Publications	2,829.64	3,000.00		As projected

Profit & Loss Budget Performance

January 2010

2009/2010 Mid Year Budget Review

Unaudited
Mid Year Notes

Unaudited	Unaudited
Jul '09 - Jan 10	Annual Budget

	Unaudited	Unaudited	Unaudited
	Jul '09 - Jan 10	Annual Budget	Adjustments
594 · Community Policing	4,294.45	5,000.00	As projected
596 · WEST-NET/CAL I.D.	12,471.00	12,472.00	As projected
598 · COPS Special Fund	21,147.28	31,470.00	49,334.00 As projected with an additional \$49,334 to be expensed
Total 550 · Other Police Expenses	155,717.69	270,600.00	329,877.00 Adjusted Police Expense total. Estimated an additional \$78,473 to Police Expenses
600 · Park/Rec Sal & Ben			
601 · Park & Rec Administrator	6,497.00	9,750.00	As projected
602 · Custodian	12,250.00	22,750.00	As projected
623 · Social Security/Medicare - Dist	0.00	746.00	As projected
Total 600 · Park/Rec Sal & Ben	18,747.00	33,246.00	No adjustments
635 · Park/Recreation Expenses			
640 · Community Center Expenses	364.37	4,000.00	As projected (This account to be adjusted)
642 · Utilities-Community Center	118.30	1,500.00	As projected
643 · Janitorial Supplies	0.00	1,000.00	As projected
646 · Community Center Repairs	81.38		
640 · Community Center Expenses - Other	564.05	6,500.00	No adjustments
Total 640 · Community Center Expenses	-13.22	6,500.00	
650 · Building E Expenses	-13.22		
658 · Bldg E Misc	-13.22		
Total 650 · Building E Expenses	-13.22	-13.22	Adjusted total
660 · Annex Expenses			
662 · Utilities - Annex	785.67	500.00	This account to be adjusted to #642
Total 660 · Annex Expenses	785.67	500.00	
672 · Kensington Park O&M	28,990.02	52,800.00	As projected
678 · Misc Park/Rec Expense	2,944.25	2,000.00	This account to be adjusted to #672
Total 635 · Park/Recreation Expenses	33,270.77	61,800.00	61,786.78 Adjusted total
800 · District Expenses			
810 · Computer Maintenance	13,177.33	22,900.00	As projected
820 · Cannon Copier Contract	2,541.00	5,500.00	As projected
830 · Legal (District/Personnel)	33,626.56	50,000.00	As projected
835 · Consultant	44,752.50	10,000.00	35,000.00 Final cost of Brown Taylor's reports \$35,000 over budget
840 · Accounting	8,130.00	21,800.00	As projected
850 · Insurance	0.00	30,000.00	As projected

Profit & Loss Budget Performance

January 2010

2009/2010 Mid Year Budget Review

	Unaudited Jul '09 - Jan '10	Unaudited Annual Budget	Unaudited Adjustments	Unaudited Mid Year Notes
860 · Election	385.79	8,000.00		As projected
865 · Police Bldg. Lease	15,535.68	42,812.00	-14,812.00	New lease of \$28,000 for a savings of \$14,812
870 · County Expenditures	8,607.24	18,600.00		As projected
890 · Waste/Recycle	33,462.58	30,000.00	3,462.00	Costs of Prop 218 over estimate
898 · Misc. Expenses/Lobbyist	4,384.58	9,350.00	-2,000.00	Incurred \$2,000 in savings on conferences
Total 800 · District Expenses	164,603.26	248,962.00	270,612.00	Adjusted District Expense Total
950 · Capital Outlay	495.00			
972 · Park Buildings Improvement			130,000.00	Park Restroom to cost \$130,000 of which \$48,000 from donations and \$82,000 from allocated reserves to be reimbursed by Measure WW in Fiscal Year 2010/2011 An additional \$150,000 will be needed if repairs to the Annex building are made.
Total 950 · Capital Outlay	495.00		130,000.00	Adjusted total
997 · Payroll Expenses	3.26			
Total Expense	1,343,157.00	2,426,120.00	2,493,441.78	
Net Ordinary Income	706,312.13	-364,264.91	-339,968.69	
Other Income/Expense			82,000.00	EBRPD Measure WW Reimbursement
		-364,264	-257,969	New Projected Shortfall
	Unaudited	Unaudited	Unaudited	Unaudited

NEW BUSINESS

#1 - General Manager Greg Harman will present to the Board the Finance Committee's recommendation for the final expenditures of the 2008/2009 COPS Grant. Board Action.

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors
From: Gregory E. Harman, General Manager
Date: Thursday, March 04, 2010
Subject: 2008/2009 COPS Grant Expenditures

APPROVED YES NO

FORWARDED TO:

For Fiscal Year 2008/2009, we have a balance in our COPS Grant fund of:

Carry Over 2008 to 2009	\$80,804		
Budgeted Expense	<u>-\$31,470</u>		
Balance to be Spent		\$49,334	

Suggested expenses for Fiscal 2008/2009:

Police Patrol Vehicle	\$22,040		
Sales Tax	\$1,874		
Equipment Install	<u>\$4,835</u>		
Total Cost		-\$28,749	\$20,585
Laptop for Vehicle #5		-\$10,900	\$9,685
Police Services Aide			
Adjustment to end of Fiscal Year		-\$4,977	\$4,708
Contingency		\$4,708	0

NEW BUSINESS

#2 - General Manager Greg Harman will present to the Board the Finance Committee's recommendation for approval Resolution 2010-02, the acceptance and expenditure plan of the 2009/2010 COPS Grant.
Board Action.

Memorandum

Kensington Police Department



To: KPPCSD Finance Committee

From: Gregory E. Harman, General Manager

Date: Tuesday, March 02, 2010

Subject: 2009/2010 COPS Grant Expenditures

APPROVED YES NO

FORWARDED TO:

For Fiscal Year 2009/2010, we have been notified that we will receive our \$100,000 COPS Grant Allocation. As of today's date, we have already received \$21,000 of the grant funds.

I have contacted the County's COPS Grant Administrator and informed him that although we budgeted for our 10th allocated police officer, I never filled the position due to concerns regarding our shortfall. I was informed that we could use COPS Grant funding to fund our 10th position.

Lateral Entry Officer at Step 3	\$5,788.05
PERS District	\$1,736.41
PERS Officer	\$520.92
Medical Officer +2	\$1,200.00
Delta Dental	\$202.72
Vision	\$147.36
Long Term Disability	\$85.03
Uniform Allow	\$66.66
Total Monthly Expense	\$9,747.15
Yearly Cost for Officer at Step 3	\$116,965.80
Other possible COPS Expenditures	
Patrol Vehicle	\$35,215
Police Services Aide	\$26,000
Crossing Guard	\$9,626
	\$70,841

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2010-02

RESOLUTION OF THE KENSINGTON POLICE PROTECTION and COMMUNITY SERVICES DISTRICT APPROVING THE PROPOSED SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS FOR FISCAL YEAR 2009/2010.

Whereas, the Kensington Police Protection and Community Services District adopts the proposed Supplemental Law Enforcement Funds expenditures for Fiscal Year 2009/2010 to be as follows:

The hiring of a lateral entry police officer at Step 3 of the Kensington Police Association Memo of Understanding, including all benefits, at a sum of \$116,965 for Fiscal Year 2009/2010.

The officer will be primarily assigned to traffic enforcement duties however; will supplement patrol duties as needed.

Now, therefore, be it resolved by the Board of Directors of the Kensington Police Protection and Community Services District that the proposed Supplemental Law Enforcement Funds expenditures for Fiscal Year 2009/2010 are \$116,965.

Passed and adopted on the 11th day of March, 2010, by the following vote of the Board.

AYES: NOES: ABSENT:

President, Board of Directors
Kensington Police Protection & Community
Services District

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2010-02

RESOLUTION OF THE KENSINGTON POLICE PROTECTION and COMMUNITY SERVICES DISTRICT APPROVING THE PROPOSED SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS FOR FISCAL YEAR 2009/2010.

Whereas, the Kensington Police Protection and Community Services District adopts the proposed Supplemental Law Enforcement Funds expenditures for Fiscal Year 2009/2010 to be as follows:

The purchase of two patrol vehicles: \$70,430
Salary for the Police Services Aide: \$26,000
Salary for the Crossing Guard: \$9,626

Now, therefore, be it resolved by the Board of Directors of the Kensington Police Protection and Community Services District that the proposed Supplemental Law Enforcement Funds expenditures for Fiscal Year 2009/2010 are \$106,056.

Passed and adopted on the 11th day of March, 2010, by the following vote of the Board.

AYES: NOES: ABSENT:

President, Board of Directors
Kensington Police Protection & Community
Services District

NEW BUSINESS

#3 - General Manager Greg Harman will present to the Board Ordinance 2010-01, ordering a supplemental special tax for police protection, establishing a date for election, adopting intended ballot language, ordering the consolidation of said election, and requesting election service by the Contra Costa Election Division. Board Action.

Memorandum

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

FROM: Patrick T. Miyaki, Legal Counsel

DATE: March 4, 2010

RE: Clarification Regarding Adoption of Special Tax Ordinance

Purpose

The purpose of this memorandum is to clarify that the Board of Directors is not legally required to adopt the Ordinance Enacting a Supplemental Special Tax for Police Protection ("Ordinance") by a two-thirds vote.

Background

At the February 11, 2010 Board Meeting, the Board, by a 3-1 vote, adopted the Resolution Proposing a Supplemental Special Tax for Police Protection, Establishing a Date of Election, Adopting Intended Ballot Language, Ordering the Consolidation of Said Election, Requesting Election Service by the Contra Costa Election Division, Proposing an Ordinance for Said Amendment, Adopting a Method for Noticing Said Ordinance and Directing that the Notice be Posted and Published ("Resolution"). A draft version of the Ordinance Enacting a Supplemental Special Tax for Police Protection ("Ordinance") was attached to the Resolution as Exhibit A. The draft Ordinance stated that the Ordinance must be adopted by a minimum two-thirds vote of the Board and a two-thirds vote of the electorate of the District voting in the election. In addition, the NBS February 2010 Report included a statement that the Ordinance needed to be adopted by two-thirds vote of the Board, and a similar statement was made at the February 11 Board meeting.

Discussion

Subsequent to the February 11 Board meeting, a question arose as to whether the Ordinance needed to be adopted by a two-thirds vote of the Board. We researched applicable California statutes and cases and determined that only a majority vote of the full membership of the Board (i.e. 3 affirmative votes) is required to adopt both the Resolution and the Ordinance.

California Government Code Sections 53722, 53723 and 53724 are the applicable statutes. These statutes expressly require that an ordinance proposing a general tax must be approved by a two-thirds vote of all members of the legislative body of the local government or district. These statutes do not require a two-thirds vote of the legislative body for adopting an ordinance proposing a special tax. In *Santa Clara County Local Transportation Authority v. Carl Guardino*

Memorandum To:
Board of Directors, Kensington Police Protection & Community Services District
March 4, 2010
Page 2

(1995) 11 Cal. 4th 220, the California Supreme Court discussed these statutes and interpreted them the same way. Therefore, the Board may adopt the Ordinance by a majority vote of the full membership of the Board and the special tax must be approved by two-thirds of the voters voting in the election on this special tax.

The statements in the Ordinance and the NBS report and that were made at the February 11 Board meeting that the Ordinance must be approved by two-thirds vote of the Board were incorrect. An updated, final version of the Ordinance that deletes the statements that a two-thirds vote of the Board is required to adopt the Ordinance is attached to this Memorandum.

Neither the Resolution nor the Notice on Proposed Tax Ordinance ("Notice"), which was stated in the Resolution and subsequently published, included a statement that the Ordinance needed to be adopted by a two-thirds vote of the Board. Thus, both the Resolution and the Notice were accurately worded and do not need to be clarified.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 2010-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT ENACTING A SUPPLEMENTAL SPECIAL TAX FOR POLICE PROTECTION

WHEREAS, this Board of Directors (the "Board") is the governing Board of the Kensington Police Protection and Community Services District (the "District"); and

WHEREAS, the Board has the authority to levy a special tax; and

WHEREAS, in 1994, the voters of the District previously approved a special tax (the "Existing Special Tax") in the amount of \$300 per year for single family residential parcels, with amounts for properties in other use categories indentified in the ordinance, to provide a source of funding for police protection services; and

WHEREAS, in 1994, the Existing Special Tax did not contain a CPI adjustment and has remained fixed at \$300 per year for single family residential parcels, with amounts for properties in other use categories indentified in the ordinance, for fifteen years; and

WHEREAS, the Board believes that a supplemental special tax is required to provide a stable, financial foundation for operations and capital equipment acquisition for police protection; and

WHEREAS, the supplemental special tax shall be designated as the "Supplemental Police Tax" (the "Supplemental Special Tax"); and

WHEREAS, the Board deems it necessary and essential to submit the question of the Supplemental Special Tax to qualified voters within the District at a special election to be to be held on June 8, 2010 and consolidated with the Direct Primary Election scheduled on that date; and

WHEREAS, pursuant to Government Code Section 50077, the Board has heretofore held a public hearing on the question of the Supplemental Special Tax following notice of such public hearing; and

WHEREAS, pursuant to Government Code Sections 50075 et seq and California Constitution Articles XIII A and XIII C, the Board may impose the Supplemental Special Tax upon adoption and approval of the Ordinance by the Board and a two-thirds vote of the electorate of the District voting in the election; and

WHEREAS, pursuant to the authority of California Government Code Section 53970, et. seq., the District is authorized to levy special taxes by ordinance for the provision of police protection services as described in such ordinance.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Election. A special election has been called and shall be held in the District on the 8th day of June, 2010, for the purpose of submitting to the voters of the District the question of the Supplemental Special Tax to be levied by the District in the amounts and for the purposes hereinafter set forth. Such special election shall be consolidated with the Direct Primary Election scheduled on June 8, 2010.

Section 2. Annual Tax. Commencing with the Fiscal Year 2010-2011, an annual Supplemental Special Tax to raise revenue to support police protection services by the Kensington Police Department within the Kensington Police Protection and Community Services District is hereby imposed upon property within the District.

Section 3. Purpose. The purpose of this Supplemental Special Tax is to raise revenue only for the purposes of obtaining, providing, operating, maintaining and expanding police protection service, facilities and equipment, for paying the salaries and benefits to police personnel, and for such other necessary police protection services expenses of the District as such services shall be made available throughout the entire District. The proceeds from the Supplemental Special Tax shall be used only for the purposes identified in this Section.

Section 4. Special Account. Upon the effective date of this Supplemental Special Tax, the District's General Manager is hereby directed to create a separate account into which all revenue raised by the Supplemental Special Tax shall be placed. The District's General Manager shall file a report with the Board of Directors no later than June 30 of each year, commencing June 30, 2011, and at least once a year thereafter which shall contain both of the following: (i) the amount of funds collected and expended under this Ordinance; and (ii) the status of any project required or authorized to be funded to carry out the purposes set forth in this Ordinance.

Section 5. Amount of Tax. For the initial Fiscal Year, July 1, 2010 through June 30, 2011 (the "Base Year"), the Supplemental Special Tax shall be levied upon property in the following amounts, herein called the "Base Year Amount":

Class of Improvement or Use*	Base Year Amount
Single Family Residential	\$200.00 per parcel
Multiple Unit Residential	300.00 per parcel
Commercial and Institutional	300.00 per parcel
Miscellaneous Improved Property	200.00 per parcel
Unimproved Property	60.00 per parcel

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

For the Fiscal Year July 1, 2011 through June 30, 2012, the maximum annual amount of the Supplemental Special Tax for each category of property shall be determined by multiplying the Base Year Amount by an inflation factor in an amount not to exceed the increase in the Consumer Price Index as published by the U.S. Department of Labor for the April to April San Francisco-Oakland-San Jose area

(the "Consumer Price Index"). In each succeeding year, the maximum amount of the Supplemental Special Tax for each category of property shall be determined by multiplying the preceding fiscal year's maximum special tax by an inflation factor in an amount not to exceed the increase in the Consumer Price Index. Should the Consumer Price Index be negative in any Fiscal Year, the Supplemental Special Tax for each category of property shall remain the same as in the previous Fiscal Year and shall not decrease.

The Board shall establish the amount of the Supplemental Special Tax annually by Resolution each fiscal year in amounts not to exceed the maximum amounts specified herein. In no case shall the amount of the Supplemental Special Tax to be levied in any fiscal year exceed the maximum amount authorized herein without an approval of the voters.

The Supplemental Special Tax shall be levied in perpetuity, or as long as funds are required for the purposes specified in Section 3 hereof.

This Supplemental Special Tax shall be in addition to the Existing Special Tax of \$300.00 per single family residential parcel annually, with amounts for properties in other use categories identified in Ordinance No. 97-01 which had no CPI escalation factor.

Section 6. Exemptions. The Supplemental Special Tax shall not be imposed upon a federal or state governmental agency, any local public agency, or any parcel of property which is exempt from ad valorem taxes under any other applicable law.

Section 7. Method of Collection. The District hereby directs the Tax Collector of the County of Contra Costa to collect the Supplemental Special Tax authorized herein for the initial Fiscal Year 2010-2011 and for subsequent fiscal years, on the same tax roll at the same time and in the same manner, and subject to the same penalties as the property taxes fixed and collected by the County of Contra Costa (the "County") on behalf of the District. The County may deduct its reasonable costs incurred for such services before remittance to the District.

The Supplemental Special Tax, together with all penalties and interest thereon, shall constitute a lien upon each parcel of property upon which it is levied until it has been paid, and said Supplemental Special Tax, together with all penalties and interest thereon, shall, until paid, constitute a personal obligation to the District by the person(s) who own the parcel of property on the date said Supplemental Special Tax is due.

Section 8. Unexpended Revenue. Any surplus monies raised by the District from the Supplemental Special Tax may in the discretion of the Board be (i) used in the succeeding year for the purposes stated in this Ordinance; or (ii) used for lowering the succeeding year's levy of the Supplemental Special Tax by the amount of the surplus or a portion thereof. In no event shall such surplus monies be used by the District for any purposes other than those specified in Section 3 hereof.

Section 9. Effective Date. The special election to approve the Supplemental Special Tax shall take place on June 8, 2010. The Supplemental Special Tax shall become effective upon passage of this Ordinance by the Board and a two-thirds (2/3) vote of the electorate of the District voting in the election as certified by this Board and the Secretary of the Board.

Section 10. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this chapter or part thereof. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that any one or more sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

PASSED AND ADOPTED at the adjourned meeting of the Board of Directors of the Kensington Police Protection and Community Services District held this 11th day of March, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chuck Toombs, President
Board of Directors
Kensington Police Protection and Community Services District

ATTEST:

Stephanie Fries, District Secretary

NEW BUSINESS

#4 - Board Consultant Brown Taylor will provide the Board the “General Manager/ Chief of Police Annual Goal Setting and Performance Appraisal Process and Procedure Amendment” for the District’s Policies & Procedures Manual, first reading. Board Action.

Kensington Police Protection and Community Services District
STAFF REPORT

DATE: March 11, 2010
TO: KPPCSD Board of Directors
FROM: Brown Taylor, Special District Employee
SUBJECT: General Manager / Chief of Police Annual Goal Setting and Performance Appraisal Process District Policy and Procedure Amendment – FIRST READNG

Report Structure:

- Recommendation that the District Policy and Procedures Manual be amended to include a process for annual “Goal Setting” and “Performance Appraisal” for the General Manager / Chief of Police (GM/COP).
- Background and Analysis Goal Setting and Performance Appraisal Process.
- Attachments:
 - (A) Proposed Language for the proposed District Policy Amendment
 - (B) Annual Performance Appraisal Time Line to be Calendared and Monitored by the District Secretary.
 - (C) Annual Goal Setting and Performance Appraisal Board Worksheet.
 - (D) Annual Goal Setting and Performance Appraisal Board Final Document

Recommendation:

That the KPPCSD Board of Directors, pursuant to District Policy “1010” amend District Policy Manual Series 2000 (Personnel) to include Policy Number 2000.25 “Performance Appraisal – General Manager” as displayed in ATTACHMENT “A” of this staff report; AND

That the District Secretary be directed to maintain a notification system on the Board Master Calendar to track Performance Appraisal Process Time Lines as displayed in ATTACHMENT “B” of this staff report; AND FURTHER

That the District Secretary be directed to maintain in file the “Annual Goal Setting and Performance Appraisal Board Worksheet and Final Document as displayed in ATTACHMENTS “C” AND “D” for annual distribution to the Board when requested.

Background

Defining expectations and assessing the General Manager / Chief of Police, (GM/COP) is one of the Board's primary governance responsibilities.

The performance Appraisal process for the General Manager / Chief of Police, (GM/COP) has not been consistent in terms of receiving a formal annual review of performance and statement of Board expectations in a format that solicits input from all Board Members.

This process, developed with assistance from Dr. Charles Beesley, provides structure for the very important annual "Goal Setting and Performance Appraisal Process" between the District Board and the GM/COP. The process was developed using the following assessments.

- Input from Dr. Charles Beesley
- Video Review of the January 2009 Board Planning Workshop
- Review of the Planning Workshop Summary Report
- Review of Municipal Executive Level Performance Appraisal Formats.
- Board and Community Member Interviews.
- Review by and Input from the Project Steering Committee

At the January 2009 District Planning Session participants, (Board Members and GM/COP) agreed that an annual performance evaluation of the GM/COP would be an appropriate time frame utilizing a standard form that allows for input from both the Board and GM/COP. The evaluation process discussed was that:

- The Board and GM/COP would agree on annual performance goals.
- The evaluation form would include "core functions" and "performance expectations".
- The evaluation would allow for unanticipated events, impacts and response on the part of the GM/COP.
- The Executive Committee would be the liaison between the Board and GM/COP.

Additionally, the current Board has used this proposed process to administer the most recent performance appraisal to the GM/COP. Certain modifications were made as the Board moved through the process to the form that is now presented.

Analysis

For this assessment it is important to “recognize and focus” on the GM/COP responsibilities of providing executive leadership as the Chief of Police, providing administrative direction and guidance for issues of public safety, and the role of General Manager for District operations.

The process is a tool to be used in two phases: it is a *planning* tool as well as an *assessment* tool. The GM/COP should be an integral part of both the planning and assessment phases. The GM/COP must agree with the performance objectives, and make certain that the Board members understand what they must do to support the GM/COP in order to achieve the goals, to include an ongoing assessment and goal prioritization resulting from emerging issues facing the District. The GM/COP must also ensure that the Board has the information to fairly conduct an assessment, and provide the Board with his/her own evaluation and feedback on performance.

Worksheet and Final Board Documents (Attachment “C” and “D”)

All Board members and the GM/COP will complete the “worksheet” document and provide comments and suggestions to the Board Review Committee. The Committee will then facilitate an executive session of the Board and upon feedback from the Board will prepare a “Final Board Assessment Document” for review with the GM/COP. Following review with the GM/COP the Board will deliberate in “open session” potential adjustment in GM/COP compensation. In the event the entire Board and/or GM/COP wish to discuss the evaluation in closed session this should be acknowledged and take place in a timely fashion.

Phase 1 Annual Performance Goals:

By the beginning of the “Fiscal Year”, the Board and GM/COP must reach a clear understanding of expectations, goals and priorities for the GM/COP and/or Board. This is accomplished through review and update of a list of specific and measurable tasks and the establishment of goals for the next fiscal year. They can be a combination of personal, professional, and District goals reflective of District priorities.

Phase II Assessment / Core Competencies:

Core Competencies / Job Dimension Elements, "2.1" through "2.9", are ongoing skills, capabilities, and responsibilities that are essential for the success of the GM/COP and are outlined in the GM/COP job description. For this phase each of the nine (9) General Dimensions and seventy-two (72) sub-factor dimensions should receive a well defined numerical score from 1 to 5", with a "1" being weak and a "5" being strong.

Annual Time Line for Performance Appraisal Process: (Attachment "B")

The Process "Time Line" is included to facilitate the timely response to each phase of the process. In addition to adding order and structure to the process for current Board administration the time line serves as a resource for future Board Members.

Significant "time milestones" should be placed on the District Board Master Calendar.

Proposed District Policy Manual Amendment: (Attachment "A")

This is the "First" of "Two" Required Readings pursuant to District Policy 1010, (Adoption / Amendment of Policies) for this proposed Amendment to District Policy Series 2000, Personnel – Executive Officer.

Consultation with the California Special Districts Association was initiated for Policy Manual format and language for this proposed amendment.

The Policy is designed to provide stability to the objectives of the "annual review process", yet flexibility in terms of using a process for discussion and encourages feedback in the development of goals and the performance evaluation.

Fiscal Impact:

None

Alternatives:

Adopt this Performance Appraisal Process as an informal Board Policy rather than formally amending Series 2000 of the District Policy Manual

ATTACHMENT

A

PROPOSED DISTRICT POLICY AMENDMENT

**POLICY TITLE: Annual Goal Setting and Performance Appraisal –
General Manager / Chief of Police**

POLICY NUMBER: 2000.25

2000.25.1 The General Manager of the District is retained and serves at the will of the Board of Directors. The Board of Directors shall review the performance of the General Manager after the initial six months of service after appointment and then annually thereafter, using a process that provides for discussion and encourages feedback in the development of goals and the performance evaluation.

2000.25.2 The performance evaluations should occur in closed session annually during the first Board of Directors meeting of the month in which the evaluation is due, or on another date mutually acceptable to the Board of Directors and the General Manager. The President of the Board shall, annually, establish a time line for the performance appraisal process and the District Board Secretary shall maintain a notification system that tracks process dates, specifically, when the evaluation is due to ensure the Board agenda is properly noticed and to provide adequate advance notice to the Board and the General Manager.

2000.25.3 The Board of Directors will agree upon an evaluation form to be provided to the Board and completed prior to the formal performance review session. Board of Directors shall be encouraged to prepare input on the form (worksheet) prior to the Board of Directors meeting.

2000.25.4 During the scheduled closed session(s) the Board should offer opportunity to meet as a group with the General Manager to verbally discuss the components of the performance evaluation. If requested by the Board and/or the General Manager, the District's Legal Counsel may attend the evaluation session.

Following input of the General Manager and the Board by way of the Performance Appraisal Worksheet, the Board shall meet and determine an overall evaluation of the General Manager's performance for the past review period and by way of the Board's designated committee provide written notification to the General Manager of the assessment and any recommended compensation adjustment, as appropriate. A copy of this written assessment should be provided to the General Manager and a copy kept in the General Manager's personnel file. The performance evaluation shall be kept confidential. Any decision on a compensation award shall be made at a public meeting following the closed session evaluation meeting.

2000.25.5 The Board of Directors and General Manager should jointly develop mutually agreed upon written goals and objectives for the subsequent evaluation period. They can be a combination of personal, professional, and District goals reflective of District priorities.

ATTACHMENT

B

ANNUAL PERFORMANCE APPRAISAL TIME LINE

Goal Setting and Performance Appraisal Process

Process	Recommendation for Administration
Board President Identifies Process time line and Board Member Review Committee for GM/COP Performance Appraisal	<ul style="list-style-type: none"> • January "Board Member Committee appointment and goal setting session. • New Board President establishes a time line for the GM/COP Performance Appraisal process to conclude by the end of the F/Y with time for GM/COP compensation adjustment. • Selects a Performance Appraisal. Review (Executive) Committee.
Board President and Past Board President have a mid fiscal year review of goals and performance dimensions with the GM/COP.	<ul style="list-style-type: none"> • Set appointment with two weeks lead time for Performance Appraisal review by GM/COP and "Presidents"
Board President meets with GM/COP monthly to specifically review Performance Appraisal Document. Provides on-going feedback.	<ul style="list-style-type: none"> • On-going monthly process. • Identification of emerging issues • Prioritization of emerging issues with initial goals. • Board notification of re-prioritized objectives.
Distribution of Performance Appraisal "Worksheet" Document to Board Members and GM/COP.	<ul style="list-style-type: none"> • May distribution • President Identifies time line for process
Board Member personal reflection of Performance Appraisal dimensions by GM/COP. Include thoughts about personal / professional and District Goals for the next fiscal year.	<ul style="list-style-type: none"> • Return to Board President – Mid or End of May
GM/COP personal reflection of Performance Appraisal dimensions and accomplishment of F/Y Goals, with projection for those not accomplished. Include thoughts about personal / professional and District Goals for the next fiscal year.	<ul style="list-style-type: none"> • Return to Board President – Mid or End of May
Review (Executive) Committee Consolidates Information from "worksheets" in Draft Performance Appraisal for Board Closed Session Review.	<ul style="list-style-type: none"> • Review Committee prepares Draft Performance Appraisal and Goal setting from information submitted by Board Members and GM/COP for Board Presentation.

<p>GM/COP / Board Review (Executive) Committee set Goals for next Fiscal Year.</p>	<ul style="list-style-type: none"> • No more than 10, (meaningful / significant) Goals
<p>Board Closed Session for <u>review and consensus adoption</u> of the Draft Performance Appraisal and Goals by the Review (Executive) Committee.</p>	<ul style="list-style-type: none"> • Information presented by the Board Review (Executive) committee from Board Member and GM/COP input. • Recommend Compensation Plan.
<p>GM/COP meet with the Review (Executive) Committee for Performance Appraisal Administration.</p>	<ul style="list-style-type: none"> • Review Performance Appraisal & Goal Setting Document. Explanation of Appraisal Elements and Confirmation of New F/Y Goals.
<p>GM/COP Requests a Closed Session meeting with the full Board (OPTIONAL) for further clarification of Performance Appraisal elements</p>	<ul style="list-style-type: none"> • GM/COP precedes the meeting with an outline of topics to be discussed regarding the performance review.
<p>Board Meeting Adoption of new F/Y Budget and Compensation adjustment for GM/COP.</p>	<ul style="list-style-type: none"> • June Board Meeting

ATTACHMENT

C

PERFORMANCE APPRAISAL WORKSHEET

Kensington Police Protection and Community Services District
Contra Costa County, California

General Manager / Chief of Police

Goal Setting and Performance Appraisal Document

PREPARATORY WORKSHEET

FOR
BOARD FINAL REVIEW

Fiscal Year: _____ to _____

Board Member _____, Date _____

Return to the Board President by _____

RECOMMENDED TIME FOR COMPLETION 1 HOUR

PERFORMANCE APPRAISAL SUMMARY

Defining expectations and assessing the General Manager / Chief of Police, (GM/COP) is one of the Board's primary governance responsibilities.

While the performance appraisal is meant to critique the GM/COP performance and what has been accomplished during the past review period, it is also a communications tool and a learning process whereby the District Board Members and the GM/COP can learn more about each other's expectations and where strengths and weaknesses exist in the relationship. The performance evaluation should be a thoughtful, effective, sensitive, and positive process.

For this assessment it is important to "recognize and focus" on the GM/COP responsibilities of providing executive leadership as the Chief of Police, providing administrative direction and guidance for issues of public safety, and the role of General Manager for District operations.

How to Use This Tool

This document is a tool to be used in two phases: it is a *planning* tool as well as an *assessment* tool. The GM/COP should be an integral part of both the planning and assessment phases. He/She must agree with the performance objectives, and make certain that the Board members understand what they must do to support the GM/COP in order to achieve the goals, to include an ongoing assessment and goal prioritization resulting from emerging issues facing the District. The GM/COP must also ensure that the Board has the information to fairly conduct an assessment, and provide the Board with his/her own evaluation and feedback on performance.

Phase 1 Annual Performance Goals: (Sections I and III)

By the beginning of the "Fiscal Year", the Board and GM/COP must reach a clear understanding of expectations, goals and priorities for the GM/COP and/or Board. This is accomplished through review and update of this document. A list of specific and measurable tasks that the GM/COP has been charged with accomplishing for the previous fiscal year, (*section I*) and the establishment of goals for the next fiscal year, (*section III*). In general, these goals will change from year. They can be a combination

of personal, professional, and District goals reflective of District priorities that are tied specifically to the budget planning process.

Phase II Assessment / Core Competencies, (section II)

Core Competencies Job Dimension Elements, “2.1” through “2.9”, are ongoing skills, capabilities, and responsibilities that are essential for the success of the GM/COP and are outlined in the GM/COP job description. In general, these elements should not change from year to year.

For this phase each question should receive a numerical score from 1 to 5”, with a “1” being weak and a “5” being strong as defined below. A comment section is included after each question and category.

- (1) Unsatisfactory – Work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
- (2) Improvement Needed – Work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
- (3) Meets Job Standard – Work performance consistently meets the standards of the position.
- (4) Exceeds Job Standard – Work performance is frequently or consistently above the level of satisfactory, but has not achieved an overall level of outstanding performance.
- (5) Outstanding – Work performance is consistently excellent when compared to the standards of the job.

Inclusive Rating Process:

All Board members and the GM/COP will complete this document and provide comments and suggestions to the Board Review Committee. The Committee will then facilitate an executive session of the Board and upon feedback from the Board will prepare a final assessment for review with the GM/COP. Following review with the GM/COP the Board will deliberate in “open session” potential adjustment in GM/COP compensation. In the event the entire Board and/or GM/COP wish to discuss the evaluation in closed session this should be acknowledged and take place in a timely fashion.

SECTION 1 - ANNUAL PERFORMANCE GOALS

THE GM/CP WILL PROVIDE AN ASSESSMENT FOR THIS SECTION UNDER SEPARATE COVER

The assessment here is to simply display the goals from the previous Performance Appraisal and answer the question, whether or not the task has been completed as identified. The GM/COP should complete this Summary Response.

The following goals were for the rating period of _____ to _____

#	Performance Goal	Met	Not Met	Comment Partially Met
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Comments and Observations:

SECTION 2 - CORE COMPETENCIES

Core competencies are skills, capabilities and responsibilities that are essential for the success of the GM/COP. Many of the core competencies are outlined in the GM/COP job description. Core Competency dimensions are identified in nine (9) categories with seventy-two (72) sub-factor ratings to help define the primary nine (9) categories.

REMEMBER: This Position has two important and distinct roles.

- **Chief of Police:** Providing Executive Leadership for Police Services
- **General Manager:** Providing Administration and Management for District Operations.

2.1 Financial Management

Sound financial management is one of the most critical responsibilities of the GM/COP. The GM/COP must insure that solid budgeting and accounting systems and appropriate financial controls and risk management strategies are in place. Achieving budget targets is a very important factor in performance assessment. The Board is responsible for supporting the GM/COP with a Finance Committee and Appropriate Professional Financial Resource.

#	Core Competency	1	2	3	4	5
1	Plans, organizes, prepares, and presents the annual budget with adequate documentation and support information to enable Directors to make informed fiscal policy decisions.					
2	Performs competitive analysis of District's operating benchmarks versus industry standards					
3	Makes sound financial decisions and takes effective corrective action as required to control costs and achieve budget goals					
4	Monitors monthly budget and other financial statements, and makes accurate monthly financial reports and projections to the Board					
5	Develops and implements effective strategies for generating budgeted revenue					
6	Ensures that the budget addresses the Board's goals and objectives					
7	Ensures that Supervisors are aware of budget requirements and are effectively managing costs					
	Overall Financial Management Rating					

Comments and Observations:

2.2 Organization Management

The GM/COP has overall responsibility for the day-to-day operations of the Police Department and District. These responsibilities include developing, maintaining and using all systems and resources that facilitate the effective operation of police service delivery, District Park and Recreation and Solid Waste Handling and Disposal.

#	Core Competency	1	2	3	4	5
1	Develops, maintains and administers a sound organizational structure and plan, and initiates improvements as necessary					
2	Plans and organizes on-going service delivery systems to assure efficient and effective services to Kensington Community					
3	Maintains knowledge of current and innovative trends, technologies, and systems provided by local government and incorporates that knowledge into program research and recommendations.					
4	Plans and organizes responses to public requests and complaints or areas of concern that are brought to the attention of the GM/COP					
5	Anticipates and recognizes future needs and problems and plans accordingly					
6	Ensures that appropriate administrative systems, technology and procedures are in place to effectively manage the District					
7	Ensures that District Sergeants effectively schedule, supervise and direct the work of all District employees including handling all personnel-related matters including compensation, job changes, performance evaluation, discipline etc.					
Overall Organization Management Rating						

Comments and Observations:

2.3 Board Relations

The GM/COP has a responsibility to provide a high degree of leadership for the Board and its committees. Part of that leadership responsibility is to help the Board remain focused on governance and long-term planning. In order to do so, the Board must have confidence and trust that the GM/COP is effectively managing all aspects of the District's operations. Important is that the Board have displayed support for the GM/COP in pursuit of duties.

#	Core Competency	1	2	3	4	5
1	Plans, organizes, and follows through on work assigned by the District Board so that it is completed with timeliness and efficiency.					
2	Plans and organizes work involved in researching the Board's suggestions and reporting the results of the analyses.					
3	Helps the Board focus on highest priority topics that need Board attention and involvement rather than day-to-day management issues					
4	Orients new Board members and engages all Board members to ensure that everyone understands how the organization functions, and has information needed for informed decision making					
5	Keeps the Board apprised of the organizational climate and any issues that could affect the District's operations					
6	Serves as an articulate and effective spokesperson for the District with the membership and outside organizations that are of benefit to the District					
7	Administers the Board calendar to insure that the Board maintains compliance with critical milestone dates for Board action and personal Board Member mandated training.					
8	Carries out directives of the Board as a whole rather than those of any one Board Member					
9	Receptive to constructive criticism and advice					
10	Willing to try new ideas proposed by District Board Members or Staff.					
Overall Board Relations Rating						

Comments and Observations:

2.4 Planning and Coordination

Assisting with planning and coordination of Board and committee activities is a very important leadership responsibility of the GM/COP. The GM/COP is expected to be a partner with the Board, and to assist the Board in achieving both its short and long-term goals.

#	Core Competency	1	2	3	4	5
1	Works with the Board and its committees in developing a shared vision for the mission and vision of the District, and appropriate goals and strategies to advance the mission					
2	Helps the Board coordinate committee activities to ensure that they are in alignment with the Board's goals and committee charters					
3	Plans, develops and approves specific operational policies, programs, procedures, methods, rules and regulations in concert with general policies					
4	Provides necessary administrative support to ensure that committee activities are documented and communicated to the Board					
5	Creates and administers the annual Work Plan based on the District's (strategic / business) plan, input from committees, the GM's action items, and priorities established by the Board					
6	Keeps District Board members advised of new and pending legislation and development.					
7	Reports are generally produced through own initiative rather than when requested by the Board.					
8	Displayed outreach to community for experienced subject matter experts to help with District issues and affairs. (community volunteers with expertise)					
Overall Planning and Coordinating Rating						

Comments and Observations:

2.5 Services Management

The District exists for the delivery of services to its public constituents and partnerships. Quality of service is one of the major factors that determine whether the District is excellent or mediocre, and whether constituents are satisfied or dissatisfied. Accordingly, the concept of excellent service and its consistent delivery is a vital part of the GM/COP responsibilities. Areas involve, police services, park and recreation facilities, and solid waste.

#	Core Competency	1	2	3	4	5
1	Works with Department Managers / Sergeants to ensure the highest performance standards for District service delivery.					
2	Oversees the community education and/or public outreach programs to promote the District's services and facilities.					
3	Maintains high visibility and engages the employees so they feel confident that the GM/COP is committed to quality service delivery.					
4	Develops appropriate outreach and feedback mechanisms to properly assess that service delivery objectives are being met.					
	Overall Service Management Rating					

Comments and Observations:

2.6 Human Resources

The District is primarily a service-based operation. This entails hiring, training, developing and promoting qualified people to efficiently manage and operate the District. The GM/COP plays a key role in developing and sustaining Human Resource (HR) Policies that not only comply with Federal and State regulations yet meet the spirit of the District's HR philosophy. Due to the personnel resource involved, police operations are a significant element of this performance dimension. Functions include:

#	Core Competency	1	2	3	4	5
1	Maintains positive employee-employer relations and guides people so they work toward common objectives.					
2	Effectively selects, trains, and organizes employees.					
3	Addresses personnel problems and takes appropriate action when warranted					
4	Maintains an atmosphere in which employees enjoy working for the District Specifically the Police Department.					
5	Has developed a "friendly and informal relationship" with the work force, yet maintains the prestige and dignity of the Executive Manager.					
6	Ensures policies and procedures are uniformly enforced.					
7	Oversees employee salaries and benefits and where appropriate, contract negotiations and settlements as directed by the Board.					
8	Ensures that personnel policies are current and in compliance with Federal and State laws.					
9	Ensures the District complies with mandated personnel due process.					
Overall Human Resources Rating						

Comments and Observations:

2.7 Facility Management

The District's facilities, equipment and infrastructure are of prime importance and a major focus of the GM/COP responsibilities. The GM/COP is responsible for insuring that all of the District's physical assets are maintained in a manner that will maximize their useful life span and productivity.

#	Core Competency	1	2	3	4	5
1	Displayed work activity that ensure that appropriate standards for care and maintenance of physical assets are in place and being effectively implemented.					
2	Maintains asset records and replacement schedules; advises the Board and budgets for appropriate asset replacements and additions.					
3	Maintains inventory records and a thorough understanding of all of the District's real estate holdings and related issues, including regulatory, legal and related issues.					
Overall Facility Management Rating						

Comments and Observations:

2.8 Personal Leadership Qualities

Beyond the core functional responsibilities of the GM/COP, there are a number of additional leadership and interpersonal skills that are important to the success of the GM/COP.

#	Core Competency	1	2	3	4	5
1	Demonstrates a clear commitment to the District's mission, vision and values and engages others in advancing the mission of the District.					
2	Ensures that District employees who have public contact demonstrate a perception, attitude, and feeling of helpfulness, courtesy, and sensitivity.					
3	Motivates subordinates to create a team atmosphere and commitment to the organization.					
4	Composure, appearance, and attitude is fitting for an individual in this Executive position.					
5	Knowledgeable of current developments affecting the management field. Displayed through personal professional development.					
6	Demonstrates a sense of innovation and creativity.					
7	Anticipates problems and develops effective approaches for solving them.					
8	Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their daily activities and collateral duties and programs					
9	Displayed Willingness to ask difficult questions and challenge organizational assumptions.					
10	Displayed dedication to the Kensington Community and its Citizens					
11	Skillful with the news media – avoiding political positions and partisanship					
12	Positively and effectively represents the District and its interests with other governmental jurisdictions or agencies.					
13	Maintains sufficient visibility, identity, and availability in the community.					
14	Seeks to continuously improve own skills and knowledge.					
	Overall Personal Leadership Qualities Rating					

Comments and Observations:

2.9 Interpersonal Skills

#	Core Competency	1	2	3	4	5
1	Does the Manager exhibit the proper skills to be easy to talk to: Listen to what is being said: Respond in a thoughtful, clear, and pointed manner.					
2	Are written communications clear, concise, formatted appropriately, and accurate.					
3	Effective problem solving skills.					
4	Good judgment in decision making.					
5	Ability to build trusting relationships.					
6	Ability to balance diverging and competing points of view. Being firm when convinced but not stubborn.					
7	Displayed ability to be decisive, to reach timely decisions and initiate action with out being compulsive.					
8	Demonstrates integrity and honesty in day-to-day relationships.					
9	Is practical and uses common sense.					
10	Demonstrates a positive attitude.					
Overall Interpersonal Skills Rating						

Comments and Observations:

OVERALL PERFORMANCE RATING:

#	CORE COMPETENCY OVERALL PERFORMANCE RATING	1	2	3	4	5
2.1	Overall Financial Management Rating					
2.2	Overall Organization Management Rating					
2.3	Overall Board Relations Rating					
2.4	Overall Planning and Coordinating Rating					
2.5	Overall Service Management Rating					
2.6	Overall Human Resources					
2.7	Overall Facility Management Rating					
2.8	Overall Personal Leadership Qualities Rating					
2.9	Overall Interpersonal Skills Rating					
	OVERALL CORE COMPETENCY PERFORMANCE RATING					

SUMMARY OF DIRECTOR COMMENTS

A. Positive Performance / Accomplishments of the GM/COP During this Rating Period. "Continue With and / or More Of"

-
-
-
-
-

B. Opportunity for Improvement. "Less Of"

-
-
-
-
-

SECTION 3 - NEW PERFORMANCE OBJECTIVES

Annual performance “objectives” are measurable goals and may include **organizational priorities** such as improving departmental performance, **leadership tasks** such as coordinating a strategic planning process, or **professional development goals** such as obtaining a professional certification or specific tasks that the GM/COP has been charged with accomplishing in a given year. They should be a “Critical Few Things”.

Focus should incorporate general direction of duties described in the GM/COP Job Description that include:

- General Administration
- District Affairs
- Police Department
- Solid Waste Handling and Disposal
- Park and Recreation Services

TOTAL ANNUAL GOALS SHOULD BE NO MORE THAN “10”. ANY MORE, THEY ARE NO LONGER SIGNIFICANT

#	Performance Goal Description
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	MAXIMUM NUMBER OF GOALS

ATTACHMENT

D

PERFORMANCE APPRAISAL BOARD FINAL DOCUMENT

**Kensington Police Protection and Community Services District
Contra Costa County, California**

Annual Goal Setting and Performance Appraisal Document

General Manager / Chief of Police

Board Final Document

July 1, 20__ through June 30, 20__

PERFORMANCE APPRAISAL SUMMARY

While the performance appraisal is meant to critique the GM/COP performance and what has been accomplished during the past review period, it is also a communications tool and a learning process whereby the District Board Members and the GM/COP can learn more about each other's expectations and where strengths and weaknesses exist in the relationship.

For this assessment it is important to "recognize and focus" on the GM/COP responsibilities of providing executive leadership as the Chief of Police, providing administrative direction and guidance for issues of public safety, and the role of General Manager for District operations.

This document is a tool to be used in two phases: it is a planning tool as well as an assessment tool. The GM/COP should be an integral part of both the planning and assessment phases. He/She must agree with the performance objectives, and make certain that the Board members understand what they must do to support the GM/COP in order to achieve the goals, to include an ongoing assessment and goal prioritization resulting from emerging issues facing the District. The GM/COP must also ensure that the Board has the information to fairly conduct an assessment, and provide the Board with his/her own evaluation and feedback on performance.

Phase 1 Annual Performance Goals: (Sections I and III)

By the beginning of the "Fiscal Year", the Board and GM/COP must reach a clear understanding of expectations, goals and priorities for the GM/COP and/or Board. This is accomplished through review and update of this document. A list of specific and measurable tasks that the GM/COP has been charged with accomplishing for the previous fiscal year, (*section I*) and the establishment of goals for the next fiscal year, (*section III*). In general, these goals will change from year. They can be a combination of personal, professional, and District goals reflective of District priorities that are tied specifically to the budget planning process.

Phase II Assessment / Core Competencies, (section II)

Core Competencies Job Dimension Elements, “2.1” through “2.9”, are ongoing skills, capabilities, and responsibilities that are essential for the success of the GM/COP and are outlined in the GM/COP job description. In general, these elements should not change from year to year.

For this phase each question should receive a numerical score from 1 to 5”, with a “1” being weak and a “5” being strong as defined below. A comment section is included after each question and category.

- (1) Unsatisfactory – Work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
- (2) Improvement Needed – Work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
- (3) Meets Job Standard – Work performance consistently meets the standards of the position.
- (4) Exceeds Job Standard – Work performance is frequently or consistently above the level of satisfactory, but has not achieved an overall level of outstanding performance.
- (5) Outstanding – Work performance is consistently excellent when compared to the standards of the job.

Inclusive Rating Process:

All Board members and the GM/COP will complete this document and provide comments and suggestions to the Board Review Committee. The Committee will then facilitate an executive session of the Board and upon feedback from the Board will prepare a final assessment for review with the GM/COP. Following review with the GM/COP the Board will deliberate in “open session” potential adjustment in GM/COP compensation. In the event the entire Board and/or GM/COP wish to discuss the evaluation in closed session this should be acknowledged and take place in a timely fashion.

SECTION 1

PREVIOUS ANNUAL PERFORMANCE GOALS

The assessment here is to simply display the goals from the previous Performance Appraisal and answer the question, whether or not the task has been completed as identified. The GM/COP should complete this Summary Response.

The following goals were for the rating period of _____ to _____

#	Performance Goal	Met	Not Met	Comment Partially Met
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Comments and Observations:

SECTION 2 - CORE COMPETENCIES

Core competencies are skills, capabilities and responsibilities that are essential for the success of the GM/COP. Many of the core competencies are outlined in the GM/COP job description. Core Competency dimensions are identified in nine (9) categories with seventy-two (72) sub-factor ratings to help define the primary nine (9) categories.

REMEMBER: This Position has two important and distinct roles.

- **Chief of Police:** Providing Executive Leadership for Police Services
 - **General Manager:** Providing Administration and Management for District Operations.
-

CORE COPENTENCY RATING PERIOD SUMMARY:

Section II summary overview completed by the Board Performance Review (Executive) Committee.

OVERALL PERFORMANCE RATING

#	CORE COMPETENCY OVERALL PERFORMANCE RATING	1	2	3	4	5
2.1	Overall Financial Management Rating					
2.2	Overall Organization Management Rating					
2.3	Overall Board Relations Rating					
2.4	Overall Planning and Coordinating Rating					
2.5	Overall Service Management Rating					
2.6	Overall Human Resources					
2.7	Overall Facility Management Rating					
2.8	Overall Personal Leadership Qualities Rating					
2.9	Overall Interpersonal Skills Rating					
	OVERALL SUB-FACTOR RATING. (Composite of all Sub-factor Ratings from all Nine Dimensions)					
	TOTAL NUMBER OF OVERALL RATINGS BY DIRECTORS (Total votes by Directors for Each of the Nine (9) dimensions)					
	OVERALL RATING BY DIRECTORS (one overall vote per Director)					

Matrix Overview

-
-
-
-
-

2.1 Financial Management

Sound financial management is one of the most critical responsibilities of the GM/COP. The GM/COP must insure that solid budgeting and accounting systems and appropriate financial controls and risk management strategies are in place. Achieving budget targets is a very important factor in performance assessment. The Board is responsible for supporting the GM/COP with a Finance Committee and Appropriate Professional Financial Resource.

#	Financial Management	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-
-

2.2 Organization Management

The GM/COP has overall responsibility for the day-to-day operations of the Police Department and District. These responsibilities include developing, maintaining and using all systems and resources that facilitate the effective operation of police service delivery, District Park and Recreation and Solid Waste Handling and Disposal.

#	Organization Management	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-
-

2.3 Board Relations

The GM/COP has a responsibility to provide a high degree of leadership for the Board and its committees. Part of that leadership responsibility is to help the Board remain focused on governance and long-term planning. In order to do so, the Board must have confidence and trust that the GM/COP is effectively managing all aspects of the District's operations. Important is that the Board have displayed support for the GM/COP in pursuit of duties.

#	Board Relations	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-

2.4 Planning and Coordination

Assisting with planning and coordination of Board and committee activities is a very important leadership responsibility of the GM/COP. The GM/COP is expected to be a partner with the Board, and to assist the Board in achieving both its short and long-term goals.

#	Planning and Coordinating	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-
-

2.5 Services Management

The District exists for the delivery of services to its public constituents and partnerships. Quality of service is one of the major factors that determine whether the District is excellent or mediocre, and whether constituents are satisfied or dissatisfied. Accordingly, the concept of excellent service and its consistent delivery is a vital part of the GM/COP responsibilities. Areas involve, police services, park and recreation facilities, and solid waste.

#	Service Management	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-
-

2.6 Human Resources

The District is primarily a service-based operation. This entails hiring, training, developing and promoting qualified people to efficiently manage and operate the District. The GM/COP plays a key role in developing and sustaining Human Resource (HR) Policies that not only comply with Federal and State regulations yet meet the spirit of the District's HR philosophy. Due to the personnel resource involved, police operations are a significant element of this performance dimension. Functions include:

#	Human Resources	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-
-

2.7 Facility Management

The District's facilities, equipment and infrastructure are of prime importance and a major focus of the GM/COP responsibilities. The GM/COP is responsible for insuring that all of the District's physical assets are maintained in a manner that will maximize their useful life span and productivity.

#	Facility Management	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-

2.8 Personal Leadership Qualities

Beyond the core functional responsibilities of the GM/COP, there are a number of additional leadership and interpersonal skills that are important to the success of the GM/COP.

#	Core Competency	1	2	3	4	5
	Overall Personal Leadership Qualities Rating					

Comments and Observations:

-
-
-

2.9 Interpersonal Skills

#	Interpersonal Skills	1	2	3	4	5
	Overall Rating					

Comments and Observations:

-
-
-

SUMMARY OF DIRECTOR COMMENTS

A. Positive Performance / Accomplishments of the GM/COP During this Rating Period. "More Of"

-
-
-
-
-
-
-
-
-
-

B. Opportunity for Improvement. "Less Of"

-
-
-
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-
-
-
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-
-

SECTION 3 - NEW PERFORMANCE OBJECTIVES

Annual performance “objectives” are measurable goals and may include **organizational priorities** such as improving departmental performance, **leadership tasks** such as coordinating a strategic planning process, or **professional development goals** such as obtaining a professional certification or specific tasks that the GM/COP has been charged with accomplishing in a given year. They should be a “Critical Few Things”.

Focus should incorporate general direction of duties described in the GM/COP Job Description that include:

- General Administration
- District Affairs
- Police Department
- Solid Waste Handling and Disposal
- Park and Recreation Services

#	Performance Goal Description
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

Comments by the General Manager / Chief of Police: (optional)

Signatures:

KPPCSD General Manager / Chief of Police

Date: _____

President of the KPPCSD Board of Directors

Date: _____

Vice President of the KPPCSD Board of Directors

Date: _____

**POLICY TITLE: Annual Goal Setting and Performance Appraisal –
General Manager / Chief of Police**

POLICY NUMBER: 2000.25

2000.25.1 The General Manager of the District is retained and serves at the will of the Board of Directors. The Board of Directors shall review the performance of the General Manager after the initial six months of service after appointment and then annually thereafter, using a process that provides for discussion and encourages feedback in the development of goals and the performance evaluation.

2000.25.2 The performance evaluations should occur in closed session annually during the first Board of Directors meeting of the month in which the evaluation is due, or on another date mutually acceptable to the Board of Directors and the General Manager. The President of the Board shall, annually, establish a time line for the performance appraisal process and the District Board Secretary shall maintain a notification system that tracks process dates, specifically, when the evaluation is due to ensure the Board agenda is properly noticed and to provide adequate advance notice to the Board and the General Manager.

2000.25.3 The Board of Directors will agree upon an evaluation form to be provided to the Board and completed prior to the formal performance review session. Board of Directors shall be encouraged to prepare input on the form (worksheet) prior to the Board of Directors meeting.

2000.25.4 During the scheduled closed session(s) the Board should offer opportunity to meet as a group with the General Manager to verbally discuss the components of the performance evaluation. If requested by the Board and/or the General Manager, the District's Legal Counsel may attend the evaluation session.

Following input of the General Manager and the Board by way of the Performance Appraisal Worksheet, the Board shall meet and determine an overall evaluation of the General Manager's performance for the past review period and by way of the Board's designated committee provide written notification to the General Manager of the assessment and any recommended compensation adjustment, as appropriate. A copy of this written assessment should be provided to the General Manager and a copy kept in the General Manager's personnel file. The performance evaluation shall be kept confidential. Any decision on a compensation award shall be made at a public meeting following the closed session evaluation meeting.

2000.25.5 The Board of Directors and General Manager should jointly develop mutually agreed upon written goals and objectives for the subsequent evaluation period. They can be a combination of personal, professional, and District goals reflective of District priorities.

