

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, October 13, 2011, at 6:00 P.M., at the Community Center, 59 Arlington Avenue, Kensington, California.

Note: All proceedings of this meeting will be tape recorded and ***please note the 6:00 P.M. start time.***

Roll Call

DISTRICT- CLOSED SESSION

1. Pursuant to California Government Code Section 54957.6, the Board will enter into closed session to discuss the following:
Conference with Labor Negotiators
Agency Representatives: Chuck Toombs and Linda Lipscomb
Employee Organization: Kensington Police Officer Association
2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE; Government Code Section 54957

DISTRICT OPEN SESSION (At 7:00 PM)

Public Comments
Board Member/ Staff Comments

APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Regular Meeting September 8, 2011, Page 3
- b) Profit & Loss Budget Performance for September 2011, Page 14
- c) Park Revenue & Expenses Report for September, Page 19
- d) Board Member Reports- None
- e) Correspondence- None
- f) Police Department Update, Page 24
- g) Monthly Calendar, Page 33
- h) Recreation Report – Page 35
- i) General Manager Update, Page 36

DISTRICT – OLD BUSINESS

1. General Manager/ Chief of Police Greg Harman will present to the Board for a third reading, Kensington Police Protection & Community Services District Policy # 1020.30 "Nepotism" as a result of the Contra Costa Grand Jury findings reported at the July 14th KPPCSD Board meeting. Board action. Page 38

DISTRICT - NEW BUSINESS

1. Chief of Police Greg Harman will give the Oath of Office to Police Officer Chris Turner. Page 45
2. General Manager/ Chief of Police Greg Harman will present to the Board a recommendation that the Board issue the Notice of Final Acceptance for the Kensington Park Restroom Project to ERA Construction. Board Action. Page 46
3. General Manager/ Chief of Police Greg Harman will present to the Board a recommendation that the Board instruct him to enter into agreement for the Contract Renewal for the Kensington Police Protection Delta Dental Premier Group Dental Plan. Board Action. Page 50
4. President Toombs will present to the Board a request to authorize the expenditure of additional funds not to exceed \$5,000 by the firm of Hemming Morse, Inc., CPA with respect to its investigation of the use of District credit cards. Page 54

ADJOURNMENT

General Information

Accessible Public Meetings

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

District Secretary Anita Gardyne, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707

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

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KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 1
BOARD OF DIRECTORS

Meeting Minutes for 09/08/2011

AGENDA

A regular meeting of the Board of Directors of the Kensington Police Protection and Community Services District (KPPCSD) was held Thursday, September 8, 2011, 7:00 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.

ATTENDEES

<u>Elected Members</u>	<u>Guests/Presenters</u>
Charles Toombs, President	Joan Gallegos
Linda Lipscomb, Vice President	Catherine DeNeergard
Tony Lloyd, Director	Vida Dorroh
Mari Metcalf, Director	Lynn Wolter
Cathie Kosel, Director	Nicki Kaiser
	Jim Hoskin
	Joel Koosed
	Yolla Harman
	Gail Tapscott
<u>Staff Members</u>	
Gregory E. Harman, General Manager/Chief of Police	Steven Chang
Anita Darden Gardyne, District Secretary	Gretchen Gillfillan
Sergeant Rickey Hull	Paul Dorrah
Temporary Acting Sergeant Kevin Hui	Anthony Knight
Detective Keith Barrow	
Police Services Specialist Andrea DiNapoli	

ANNOUNCEMENTS: Board President Charles Toombs called the meeting to order at approximately 7:00 PM.

PUBLIC COMMENTS

Joan Gallegos spoke about a mailing she received from Doctor's Hospital regarding the community impact should the hospital close. She said the community would be limited in emergency medical services, particularly for cardiac services. She also asked President Toombs to appoint a policy and procedures committee to review the Board of Director's (BOD) policy manual. She offered to assist with this review.

Catherine DeNeergard said that she was disturbed by the speech at the last BOD meeting. She wanted to encourage all to regain civil discourse.

Vida Dorra said that after reading the September, 2011 Outlook, she is glad that her daughter is an adult and does not live in Kensington as she would not know how to explain the behavior of some of the BOD members. She asked that we set a good example for our children and suggested the BOD follow the Robert's Rule of Order. She also asked when the Chair calls for someone out of order that they consider becoming silent.

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Lynn Wolter said “hurrah” for the bathroom being installed since the last meeting. She said she also had looked at the final MSR that had been posted since the last meeting. Ms. Wolter said she had been looking at some that compared KPD’s performance to the El Cerrito Police Department’s (ECPD’s) performance. She noted that she found this comparison useful as KPPCSD had considered contracting out Kensington’s police services to ECPD a few years ago. She shared the following results:

	<u>ECPD</u>	<u>KPD</u>
Average Priority 1 response time	4 min 35 sec	2 min 45 sec
Violent Crime Clearance Rate	35%	65%
Clearance Rate for Property Crime	15%	17%
Per Capita Cost to provide police services	\$401	\$415
Sworn Staff per 1,000 population	1.83	1.97

She said based on these statistics the Kensington Police Department (KPD) is doing a fine job.

Nicki Kaiser suggested the BOD seriously consider the KICs suggestion that were presented in the September, 2011 Outlook. She agreed there needed to be accountability of members activities on the BOD both in their agreed upon commitments to participate in sub committee meetings as well as their behavior on the BOD. She said if these obligations were not met, there should be clear procedures for what would happen.

BOARD COMMENTS

Director Lloyd updated all on the Kensington Path Committee. He said they have been meeting and they are at the point of developing final conclusions which will be addressed in their September 3rd meeting. He hopes to present the committees findings to the BOD at the October, 2011 BOD meeting.

Vice President Lipscomb concurred with Lynn Wolter’s praise for both the bathroom installation in the park and KPD’s performance per the MSR. She thanked GM/COP Harman and others for their efforts in doing wonderful job.

President Toombs also thanked GM/COP Harman and his team for his effort in getting the bathroom installed. He noted how well the design fit the environment and commented that the bathroom looked as if it had always been there. He complimented the architecture. He also said the Finance Committee had met recently and had reviewed a new actuarial study for the health cost of the police department and to review the FY09/10 Audit report which will be reviewed tonight. He also said the Park Committee had met the night prior with the Rosemary Muller and her team and discussed hosting two public meetings, one in October and one November. He said to watch the Outlook for the specific dates. He also said that meetings will be held in October with other stakeholders including KCC staff, maintenance staff, and others. He said the committee had also asked Andrew Read and Lisa Corona to work with GM/COP Harman as the committee designees and they will interface with Rosemary.

Director Kosel said she had two things to share. She said she understood that Director Lloyd had been ill, wished him well, and said she was glad that he was here for the meeting. She also noted that the October

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BOD meeting is scheduled for October 13th, coinciding with the Cal vs. USC game at AT&T Park. She recommended that the BOD consider moving the October BOD meeting date forward or backward a day in order to encourage the public to participate.

STAFF COMMENTS

District Administrator Gardyne shared that the tennis courts patch job was completed under Jack Griffith's direction and leadership.

GM/COP Harman that copies of the revised Police Monthly Report for August was available during the meeting as well as on the kensingtoncalifornia.org website. He said the Police Monthly Report package which went out with the BOD package did not include the Team Report but that the revised version did.

President Toombs announced that the BOD was moving into closed sessions to discuss two items. These items are: Conference with Labor Negotiators regarding status of negotiation with the Kensington Police Officers Association. (KPOA), and Resolution 2011-015. Several members of the public spoke and said it was inappropriate for the public to have to wait. Various recommendations were made such as having the closed sessions occur prior to the public meeting.

PUBLIC COMMENTS

Several unnamed members of the public expressed surprise and disappointment that the BOD was moving into closed door session and that they were expected to wait an estimated 25 minutes for the BOD to return before they continued with the rest of the BOD agenda. Alternative scenarios for how a closed door session could have been scheduled were offered for BOD consideration.

STAFF COMMENTS

GM/COP Harman suggested that the evening's agenda be reorganized so those two items which warranted discussion in a closed door session be moved to the end of the agenda. This, he proposed, would allow the public meeting to continue and minimize the impact to the public of the necessary closed door session.

BOARD COMMENTS

President Toombs said one of the Directors had a family emergency and that they needed to leave around 8:00p or 8:30p and that he was trying to accommodate this Director's needs. He apologized for the delay and said that next time he would schedule closed sessions differently in accordance with the public comments. The meeting stopped at approximately 7:17p to allow for the closed session.

Director Kosel spoke in support of members of the public and recommended that future closed door sessions be scheduled differently.

The meeting reconvened at approximately 7:54p with all Directors present except for Director Lloyd. Director Lloyd joined the meeting at 7:55p. President Toombs reminded all that the BOD had met in closed session to discuss two items and that it was now prepared to move forward with the rest of the agenda. They discussed the status of the labor negotiations with Kensington Police Officer Association (KPOA) and himself and Vice President Lipscomb would be meeting with the KPOA to continue negotiations. He said Resolution 2011-015 would be discussed later in the meeting. He apologized for the

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break in the meeting due to the closed door session and said future closed door sessions would be scheduled differently.

CONSENT CALENDAR

MOTION: Vice President Lipscomb moved to approve the consent calendar. Director Lloyd seconded this motion.

AYES: Toombs, Lipscomb, Lloyd, Metcalf, Kosel NOES: 0 ABSENT: 0

OLD BUSINESS #1– General Manager/ Chief of Police Greg Harman will present to the Board for a second reading, Kensington Police Protection & Community Services District Policy # 1020.30 “Nepotism” as a result of the Contra Costa Grand Jury findings reported at the July KPPCSD Board meeting. Board action.

STAFF COMMENTS

GM/COP Harman reminded all that at the July, 2011 BOD meeting, the BOD accepted the County LAFCO Grand Jury report in which it was mandated that LAFCO needed to have policies in place for nepotism. A part of the Grand Jury report also required all districts and agencies in the county adopt a conflict of interest policy, a nepotism policy, and an ethics policy. Kensington Police Department (KPD) has all three policies in place but the BOD only had a conflict of interest policy and an ethics policy. As a result, the BOD directed GM/COP Harman to draft a nepotism policy for it to adopt. In conjunction with the attorneys, GM/COP Harman prepared a draft nepotism policy and reviewed it with the BOD at its August, 2011 meeting. He received feedback on this draft policy from the Directors at its August meeting. The revised draft being presented this evening, he said, included all feedback received to date from BOD members as well as the district’s attorneys. He said if the policy were accepted, he would contact the Grand Jury and move forward.

BOARD COMMENTS

President Toombs said the request was to change 3 things: 1) to expand the definition of relatives, 2) to change employees to employees and board members virtually everywhere it appears, and 3) to include a process for those instances in which the chief can’t resolve a nepotism issue than it moves to a committee of the BOD for an impartial process to resolve the nepotism process. He said the attorneys found the draft being reviewed tonight acceptable.

Director Lloyd commented on page 57, 1020.35, item 2 subsection c. He questioned the reasonability and feasibility of this section. He said it read as if either everybody fell into that category or nobody fell into that category. He said it basically said the BOD could not have any relationship with anybody in Kensington and he joked that he could go with that.

President Toombs reminded all that the nepotism draft being reviewed was extracted from the KPD nepotism policy. At one point during the discussion, he offered to take the draft back to the attorneys for further review.

Director Metcalf said that the policy read in such a way that if she met a realtor at a BOD meeting, she could not later contact that realtor to sell her home as their meeting would be considered official contact since it occurred at a BOD meeting. She also questioned the definition of second cousin which had been

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inserted into the document as she believed it was a colloquial term. She believed they meant first cousin once removed.

Director Kosel said she agreed with Director Lloyd's reading. Later she asked if there were a boiler plate for a nepotism policy. President Toombs responded that the attorneys had looked at the draft policy being reviewed in the context of their other district policies and agreed the draft presented was similar to other district policies.

Later President Toombs summarized the group's discussion by saying the attorneys would be requested to amend the nepotism draft to reflect three changes. He listed them as: 1) to expand the definition of relatives and to use the correct legal terms for family members, 2) to change employees to employees and board members virtually everywhere it appears, and 3) to include a process for those instances in which GM/COP can't resolve a nepotism issue, than it would move to a committee of the BOD for an impartial process to resolve the nepotism process.

PUBLIC COMMENTS

Nicki Kaiser recommended that grand parents, grandchildren, and great grand parents should be included in the policy. Joan Gallegos suggested that CSDA may be another source to look to for a nepotism policy draft. Nicki Kaiser then suggested a BOD member determine if CSDA has a policy and then deliver it to the attorneys as doing this will minimize the district's expenses.

MOTION: President Toombs moved to ask the attorneys to take a second at this and to incorporate the CSDA position if they have one and then to get back to the BOD and then to take this up a the next BOD meeting for approval. Director Metcalf seconded this motion.

AYES: Toombs, Lipscomb, Lloyd, Metcalf, Kosel NOES: 0 ABSENT: 0

NEW BUSINESS #1 - Chief of Police Greg Harman will present Detective Keith Barrow with a commendation for his off duty actions in taking into custody a violent subject.

STAFF COMMENTS

GM/COP Harman said Detective Keith Barrow's commendation began when Detective Keith Barrow told GM/COP Harman about an incident that occurred in another jurisdiction. In short, while off duty, Detective Keith Barrow observed a large Pacific Islander male who was intoxicated hit a member of a hotel staff in the face and knock him to the ground. Detective Keith Barrow intervened and took the suspect into custody single handedly which, GM/COP Harman said is no easy feat particularly when a large, intoxicated male is involved. GM/COP Harman said Detective Keith Barrow is a defensive tactics instructor for KPD and ECPD. GM/COP Harman also said Detective Keith Barrow's training came in handy as he single handedly secured the suspect until other officer's could arrive. GM/COP Harman then read the official commendation for his successful arrest of a violent suspect.

Then, to Detective Keith Barrow's surprise, GM/COP promoted Detective Keith Barrow to the rank of Corporal Detective. GM/COP Harman said he relied heavily on Keith Barrow and though he was a Detective, he never had the authority to supervise the other officers. With his promotion to Corporal Detective, this changes. GM/COP Harman, who was weepy throughout this presentation, said he admired Keith as he was a cop's cop, which is the highest compliment one officer can pay to another. He also said Detective Barrow would always do whatever was asked of him including attending tonight's BOD

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meeting despite the loss of his father earlier in the week. With that, GM/COP Harman pinned Detective Corporal Keith Barrow to the applause of all meeting attendees.

BOARD COMMENTS

President Toombs congratulated Detective Corporal Keith Barrow on his promotion and expressed sorrow for the loss of his father.

NEW BUSINESS #2 - Steven Chang, of Lamorena & Chang, will present to the Board the 2009/ 2010 KPPCSD Audit Report. Possible Board Action.

STAFF COMMENTS

Mr. Steven Chang of Lamorena & Chang introduced himself as the district's external auditor and said that he was there to present the findings of the FY 2009-2010 audit report. He thanked GM/COP Harman and his staff for providing the data necessary to enable his staff to effectively complete the audit. He also said that KPPCSD as a special district requires its auditor is required to render two opinions, both of which came out clean. The two reports are The Independent Audit Report and The Compliance & Internal Controls Over Financial Statements According to Government Auditing Standards. He said that new for the year 2010 was GASB 45 which is the post retirement benefit accrual. It is the first year it will appear on the balance sheet and in the expenses area. GASB 45 came out about 4 years ago but this was the last year to implement it. The district hired an external firm to determine its assessment and then the external auditor was required to use that information and initiate the accrual on the district's financial statement.

In reviewing financial highlights, Mr. Chang referred to page 7 of the Audit Report which included the standard balance sheet. This pages shows, he said, that as of June 30, 2010 the district has approximately \$5.8M in assets and approximately \$286K in liabilities and a district equity of approximately \$5.5M. Of this equity he said about \$3.8M was in fixed asset and \$1.9M in cash. He said this was consistent with prior year and within 1 and 2 percent of last year's numbers. He said the same was true with the district's income statement which appears on pages 8 and 9 of his presentation. He said that current year revenues were about the same year over year but that expenses were about 5% higher than prior years due to the GASB 45 \$170k accrual. He said this accrual resulted in the district's net less of \$330K versus \$133K loss compared to the year prior. Overall he said the district remains healthy and liquid.

He said he had no findings for the FY09 -10 current year. In the fiscal prior, he had found an inconsistency in payroll related to what time was being reported versus what was paid out. This was corrected and he reiterated that there were no findings to report.

BOARD COMMENTS

President Toombs said that he had the opportunity to review the work in great detail with the finance committee and that he found the report acceptable.

Director Kosel inquired about the frequency of the audit being performed and questioned if the audit could be performed every other year. Mr. Chang stated that the State required an annual audit from every district.

Director Lloyd said the report was exact and conclusive and thanked Mr. Chang for his time.

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PUBLIC COMMENTS

Resident Lynn Wolter inquired about any unusual issues relative to credit card use uncovered during the audit. Mr. Chang said the audit did include a test of credit cards but did not find any issues or unusual circumstances.

Director Kosel sought clarification regarding Mr. Chang's credit card audit. She asked for clarity as to what Mr. Chang evaluated in the audit process. Specifically she inquired if his audit only looked at how an expense was processed or if also looked at how the charge fit within the district policies. Mr. Chang confirmed his audit process also included a policy review as a part of internal control testing. As an example, he said that his auditors sat down with district staff to gain an understanding of the district's policies and procedures for, say revenue recognition. Then his staff will evaluate the financial statements to confirm that the revenues were properly booked in accordance with its own policy. He said the same would occur on the expense side relative to all major accounts, including credit cards. He said that FASB 117 required auditors to look at all high risk accounts and those areas are emphasized during the audit.

Director Lloyd referenced page 2 of the audit report (also referenced as page 89 of the BOD package) which summarized that controls and reporting are in place and asked Mr. Chang to affirm this was his opinion. Mr. Change did so.

Resident Nicki Kaiser thanked Mr. Chang for the audit and his results and suggested apologies were due to certain district employees.

President Toombs interrupted Ms. Kaiser and reminded all that there was an investigation underway, that personnel matters should not be discussed further, and that it was premature to be seeking apologies from anyone.

Resident Jim Hoskin sought confirmation that the report indicates all the right procedures were followed. Mr. Chang confirmed this and explained there could an occasional exception to the rules. As an example, he said if he saw a payment to a utility was made and there was no receipt, he might be inclined to approve it whereas if a saw a payment made to Nordstrom with no receipt, he would be inclined to investigate that transaction further. Mr. Chang said his signature on the audit confirmed his belief that the audit findings were correct and were fully supported by his office.

MOTION: President Toombs moved to accept the audit report as submitted, Vice President Lipscomb seconded this motion.

AYES: Toombs, Lipscomb, Lloyd, Metcalf, NOES: Kosel ABSENT: 0

President Toombs announced the motion had passed.

NEW BUSINESS #3 General Manager/ Chief of Police Greg Harman will present to the Board a recommendation that the Board instruct him to contract with Universal Building Services (UBS) for maintenance service of the park restroom. Board Action.

STAFF COMMENTS

GM/COP Harman said before the new park restroom is opened to the public a maintenance firm has to be in place to clean and maintain it. He recommended we sign a contract with UBS for daily cleaning

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service. He said he had come to this conclusion after reviewing various bids Secretary Gardyne secured after contacting a variety of agencies to bid to provide this service. The results of her findings are summarized on page 94 of the BOD package. Of the five firms contacted, three submitted to bids. UBS submitted the lowest price of \$584 per month to provide daily (365 days per year) cleaning service. GM/COP Harman also said that only \$200 per month had been budgeted in the FY 10-11 operating budget for this cleaning service so selecting his recommended provider on a daily basis will result in a budget overage.

BOARD COMMENTS

Director Lloyd thanked GM/Harman and Secretary Gardyne for their efforts and questioned the contractual terms of the recommended vendor UBS. He was interested in knowing if there was a trial period so UBS service could be piloted prior to a long term commitment. GM/COP Harman confirmed that in essence we would have a month to month contract with UBS and that we could change to a new service provider simply with a 30 day written notice to UBS.

Vice President Lipscomb said she looked forward to assessing UBS' performance and was pleased to see the 30 day notice provision in the contract. GM/COP Harman said that he would check the bathrooms on a daily or semi-daily basis in the beginning once the UBS cleaning schedule was determined so he could evaluate how dirty and used the bathrooms were. His goal is to gain a sense of how the bathrooms are used and how dirty they become. He expressed a desire to potentially transition to ever other day bathroom cleaning over time if it could be done and still provide a clean bathroom. He and Vice President Lipscomb discussed the way that the bathroom usage patterns might change over time (e.g. summer use versus regular use, weekend use vs. weekday use, etc) and how this could change the frequency of cleaning necessary over time. They agreed that it might be useful to change to an every other cleaning schedule in a couple of months or so if it was ultimately warranted. GM/COP Harman said that he would return to the BOD to make that recommendation at the appropriate time. He and Vice President Lipscomb agreed that the goal was to open the facility in a manner that ensured resident satisfaction.

President Toombs shared Vice President Lipscomb's comments and agreed they should use UBS on a daily basis subject to seeing how they perform over the next few months. He agreed it might make sense to change UBS to an every other day service over time.

Directors Metcalf and Kosel noted that UBS quote was quite a bit lower than Bill Driscoll's and wondered if they should throw in the youth hut as a part of the contract. GM/COP Harman said he would have to open this up to bid but commented that this was something he could look into further. Director Kosel said she thought the district might be able to save some money if he were to pursue this. Director Kosel also questioned if there was value in a seasonal contract where cleaning frequency changed as restroom demand changed.

Director Metcalf asked if the UBS quote was based on a discounted rate for augmenting our existing contract with them. Secretary Gardyne responded that she had singularly sought their bid for the park restroom but that additional quotes can be requested.

After the public comment, Director Kosel urged the BOD to consider an amendment to the motion that would sign a six month contract with UBS and then to look at augmenting the UBS contract so UBS was the global provider of all maintenance services for the district. In response to specific public comments, President Toombs also detailed that it is the role of the GM to administer all contracts and stated that it is

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in the GM's discretion to manage the best interests of the district and that he has the support and trust of the BOD to do so.

PUBLIC COMMENTS

Anthony Knight, Nicki Kaiser, Gretchen Gillfillan, Paul Dorrah, and Gail Tapscott spoke. Most supported daily cleaning, one recommended placement of mesh wire to limit rodent access to the building, and one inquired about the district's process for consolidating cleaning service contracts.

MOTION: President Toombs moved to accept GM/COP Harman's recommendation to adopt the contract with UBS for daily service. Director Lloyd seconded the move.

AYES: Metcalf, Kosel, Toombs, Lipscomb, Lloyd NOES: 0 ABSENT: 0

NEW BUSINESS #4 - General Manager/ Chief of Police Greg Harman will present to the Board Resolution 2011-014, approving the proposed Supplemental Law Enforcement Services Funds for Fiscal Year 2011/2012. Board Action.

STAFF COMMENTS

GM/COP Harman said every year the County comes to the district to ask for our plan as to how the district would spend the COPS Grant money for the coming fiscal year (FY 11- 12) should the State choose to fund the grant. GM/COP Harman said he had received this request from County on August 15, 2011 and he needed the BOD's concurrence to respond to this request. He reminded all that the district typically receives \$100,000 per year from the COPS Grant and that for approximately the past two years the district has used those funds to help pay for officer salary and benefits. He also reminded if allocated, the COPS Grant would be used to fund the 10th officer position. He urged passage of Resolution of 2011-14 which would allow him to inform the County that the \$100,000 COPS Grant would continue to be used to fund our 10th officer position. He also noted that it costs approximately \$117,000 to fully fund an officer position.

Later in the discussion, GM/COP Harman talked about how the State changed its COPS Grant allocation by agency over time and noted that smaller agencies, like KPD, were still budgeted at the \$100,000 level. In response to a question from the public, GM/COP Harman also said the 10th officer position had been budgeted through the general fund for FY 11-12 and noted that if the COPS Grant were received, the grant would fund the 10th Officer position. He also reminded all that by law, the district cannot include the COPS Grant in its budget as these funds are not guaranteed. Therefore, he said, if this grant is received, the funds are in addition to our current budget.

BOARD COMMENTS

President Toombs sought confirmation that the COPS Grant is funded through the vehicle license being implemented. GM/COP Harman confirmed that a portion of the COPS Grant funding was to come from vehicle licensing but noted that last FY the grant was fully funded even though the licensing portions was not implemented.

PUBLIC COMMENTS

Anthony Night spoke.

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MOTION: President Toombs moved to approve Resolution 2011-014 which approves the proposed Supplemental Law Enforcement Services Funds for Fiscal Year 2011/2012.

AYES: Metcalf, Toombs, Lipscomb, Lloyd NOES: Kosel ABSENT: 0

President Toombs announced the motion had passed 5 - 0.

OLD BUSINESS #5 - General Manager/ Chief of Police Greg Harman will present to the Board Resolution 2011-015, approving the industrial disability retirement for Sergeant Hussain Khan. Board Action.

STAFF COMMENTS

GM/COP Harman said the Resolution grants him the authority to approve Sergeant Hussain Khan's industrial medical retirement. He said the BOD had discussed this subject in closed session as it was a personnel and a medical matter and that as a result, only limited public discussion of this matter could occur. He said that in closed session the BOD discussed some of the wording in the resolution and he would leave it to the BOD to discuss now.

BOARD COMMENTS

Director Metcalf, speaking on behalf of the entire BOD, summarized their proposed changes on page 103 of the BOD package and asked that the second to the last be rewritten to read:

BE IT FURTHER RESOLVED, that the General Manager/Chief of Police is authorized to make applications on behalf of the District for disability retirement of Sgt. Hussain Khan and to initiate requests for reinstatement of such employee who may be retired for disability.

President Toombs said this Resolution allowed GM/COP Harman to make the final decision regarding Sgt. Khan's retirement and noted that GM/COP Harman was also asked to secure and consider all appropriate materials in making his decision such as medical records in making his decision.

MOTION: President Toombs moved to approve the Resolution 2011-015. Director Metcalf seconded the motion.

AYES: Toombs, Lipscomb, Lloyd, Metcalf, Kosel NOES: 0 ABSENT: 0

MOTION: President Toombs moved to end the meeting at about 8:58 PM. Vice President Lipscomb seconded this motion.

AYES: Toombs, Lipscomb, Lloyd, Metcalf, Kosel NOES: 0 ABSENT:

ADJOURNMENT

General Information

Accessible Public Meetings

Kensington Police Protection and Community Services District – Board of Directors Meeting – 09/08/11

KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 11
BOARD OF DIRECTORS

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

District Secretary Anita Gardyne, Kensington Police Protection & Community Services District, 217 Arlington Ave,
Kensington, CA 94707

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

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

KPPCSD
Unaudited Profit & Loss Budget Performance
 September 2011

	<u>Sep 11</u>	<u>Budget</u>	<u>Jul - Sep 11</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
400 · Police Activities Revenue					
401 · Levy Tax	0.00		1,197,545.71	1,197,000.00	1,263,000.00
402 · Special Tax-Police	0.00	680,000.00	0.00	680,000.00	680,000.00
403 · Misc Tax-Police	0.00		0.00		50.00
404 · Measure G Supplemental Tax Rev	0.00	453,200.00	0.00	453,200.00	453,200.00
410 · Police Fees/Service Charges	445.00	445.00	625.00	625.00	2,000.00
414 · POST Reimbursement	4,417.19		4,870.19		
415 · Grants-Police	11,315.57		11,315.57		
416 · Interest-Police	0.00		0.00		3,000.00
418 · Misc Police Income	3,615.89	3,616.00	6,643.77	6,644.00	12,000.00
Total 400 · Police Activities Revenue	<u>19,793.65</u>	<u>1,137,261.00</u>	<u>1,221,000.24</u>	<u>2,337,469.00</u>	<u>2,413,250.00</u>
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L	0.00	30,000.00	0.00	30,000.00	30,000.00
426 · Park Donations	0.00		0.00		500.00
427 · Community Center Revenue	1,390.00	1,500.00	3,143.00	3,250.00	24,000.00
435 · Grants-Park/Rec	0.00		0.00		100,000.00
436 · Interest-Park/Rec	0.00		0.00		200.00
438 · Misc Park/Rec Rev	0.00		0.00		500.00
Total 420 · Park/Rec Activities Revenue	<u>1,390.00</u>	<u>31,500.00</u>	<u>3,143.00</u>	<u>33,250.00</u>	<u>155,200.00</u>
440 · District Activities Revenue					
448 · Franchise Fees	6,708.70	7,000.00	6,708.70	7,000.00	21,000.00
449 · District Revenue	0.00		5,005.00		
456 · Interest-District	0.00		0.00		500.00
Total 440 · District Activities Revenue	<u>6,708.70</u>	<u>7,000.00</u>	<u>11,713.70</u>	<u>7,000.00</u>	<u>21,500.00</u>

KPPCSD
Unaudited Profit & Loss Budget Performance
 September 2011

	<u>Sep 11</u>	<u>Budget</u>	<u>Jul - Sep 11</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Total Income	27,892.35	1,175,761.00	1,235,856.94	2,377,719.00	2,589,950.00
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	64,455.71	73,735.00	200,484.47	221,209.00	884,824.00
504 · Compensated Absences	11,541.56	0.00	15,402.59	0.00	10,000.00
506 · Overtime	6,975.84	3,333.33	24,272.23	10,000.03	40,000.00
508 · Salary - Non-Sworn	4,614.50	4,875.00	13,817.75	14,625.00	58,500.00
516 · Uniform Allowance	566.61	650.00	1,766.49	1,950.00	7,800.00
518 · Safety Equipment	0.00		925.28		2,500.00
521-A · Medical/Vision/Dental-Active	12,373.95	13,035.00	34,875.26	39,101.00	156,416.00
521-R · Medical/Vision/Dental-Retired	13,230.83	13,128.25	39,560.52	39,384.75	157,539.00
521-T · Medical/Vision/Dental-Trust	0.00		0.00		96,432.00
522 · Insurance - Police	3,941.51	1,000.00	6,426.24	3,500.00	12,500.00
523 · Social Security/Medicare	1,286.78	1,209.67	2,696.20	3,628.97	14,516.00
524 · Social Security - District	322.60	302.25	953.43	906.75	3,627.00
527 · PERS - District Portion	25,390.11	25,291.00	71,810.51	75,873.00	303,492.00
528 · PERS - Officers Portion	6,755.25	6,694.67	19,105.77	20,083.97	80,336.00
530 · Workers Comp	16,016.00	17,164.00	32,032.00	34,328.00	68,656.00
Total 500 · Police Sal & Ben	<u>167,471.25</u>	<u>160,418.17</u>	<u>464,128.74</u>	<u>464,590.47</u>	<u>1,897,138.00</u>
550 · Other Police Expenses					
552 · Expendable Police Supplies	2,108.85	150.00	2,474.01	450.00	1,800.00
553 · Range/Ammunition Supplies	0.00	333.33	619.40	1,000.03	4,000.00
560 · Crossing Guard	695.24	802.17	695.24	2,406.47	9,626.00
562 · Vehicle Operation	4,424.16	4,583.33	12,419.72	13,750.03	55,000.00
564 · Communications (RPD)	7,644.63		19,607.63	19,320.00	154,320.00
566 · Radio Maintenance	0.00	1,950.00	0.00	5,850.00	23,400.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 September 2011

	<u>Sep 11</u>	<u>Budget</u>	<u>Jul - Sep 11</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
568 · Prisoner/Case Exp./Booking	0.00	416.67	1,055.32	1,249.97	5,000.00
570 · Training	837.95	833.33	1,049.22	2,500.03	10,000.00
572 · Recruiting	0.00		1,638.00		
574 · Reserve Officers	824.61	166.67	1,164.44	499.97	2,000.00
576 · Misc. Dues, Meals & Travel	0.00	267.50	950.00	802.50	3,210.00
580 · Utilities - Police	655.43	666.67	1,320.33	1,999.97	8,000.00
581 · Bldg Repairs/Maint.	680.00		717.66		1,000.00
582 · Expendable Office Supplies	105.35	500.00	896.13	1,500.00	6,000.00
586 · Machine Maintenance	0.00		330.00		
588 · Telephone(+Rich. Line)	451.17	665.00	2,219.94	1,995.00	7,980.00
590 · Housekeeping	199.34	333.33	696.77	1,000.03	4,000.00
592 · Publications	19.95	250.00	19.95	750.00	3,000.00
594 · Community Policing	620.18	208.33	2,204.10	625.03	2,500.00
596 · WEST-NET/CAL I.D.	0.00		12,893.00	12,900.00	12,900.00
598 · COPS Special Fund	0.00		0.00	0.00	0.00
599 · Measure G Administration	804.61	750.00	1,588.22	1,500.00	3,200.00
Total 550 · Other Police Expenses	<u>20,071.47</u>	<u>12,876.33</u>	<u>64,559.08</u>	<u>70,099.03</u>	<u>316,936.00</u>
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	588.75	541.67	1,560.25	1,624.97	6,500.00
602 · Custodian	1,750.00	2,166.67	5,250.00	6,499.97	26,000.00
623 · Social Security/Medicare - Dist	0.00	41.42	0.00	124.22	497.00
Total 600 · Park/Rec Sal & Ben	<u>2,338.75</u>	<u>2,749.76</u>	<u>6,810.25</u>	<u>8,249.16</u>	<u>32,997.00</u>
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center	300.61	396.33	707.67	1,189.03	4,756.00
643 · Janitorial Supplies	0.00	62.50	597.62	187.50	750.00
646 · Community Center Repairs	18,600.00	250.00	18,691.98	250.00	1,000.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 September 2011

	<u>Sep 11</u>	<u>Budget</u>	<u>Jul - Sep 11</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
640 · Community Center Expenses - Other	0.00		290.73		
Total 640 · Community Center Expenses	18,900.61	708.83	20,288.00	1,626.53	6,506.00
660 · Annex Expenses					
662 · Utilities - Annex	1,205.93	83.33	1,411.24	250.03	1,000.00
Total 660 · Annex Expenses	1,205.93	83.33	1,411.24	250.03	1,000.00
670 · Gardening Supplies	0.00	166.67	0.00	499.97	2,000.00
672 · Kensington Park O&M	7,015.86	5,151.67	13,256.33	15,454.97	61,820.00
678 · Misc Park/Rec Expense	2,000.00	250.00	2,463.95	250.00	1,000.00
Total 635 · Park/Recreation Expenses	29,122.40	6,360.50	37,419.52	18,081.50	72,326.00
800 · District Expenses					
810 · Computer Maintenance	611.72	2,502.83	12,084.57	7,508.53	30,034.00
820 · Cannon Copier Contract	462.81	513.33	1,488.48	1,540.03	6,160.00
830 · Legal (District/Personnel)	5,141.88	2,916.67	14,443.23	8,749.97	35,000.00
835 · Consulting	0.00		0.00		3,600.00
840 · Accounting	2,323.75	3,000.00	9,301.25	9,000.00	25,275.00
850 · Insurance	891.00		29,694.11	30,000.00	30,000.00
865 · Police Bldg. Lease	0.00		14,852.50	14,852.50	29,705.00
870 · County Expenditures	0.00	1,000.00	0.00	1,000.00	19,900.00
880 · KCC/Annex Agreement	0.00		6,021.00		
890 · Waste/Recycle	3,084.85	3,000.00	6,883.10	6,600.00	17,500.00
898 · Misc. Expenses	124.70	886.75	1,222.05	2,660.25	10,641.00
Total 800 · District Expenses	12,640.71	13,819.58	95,990.29	81,911.28	207,815.00
950 · Capital Outlay					
963 · Patrol Car Accessories	0.00		5,673.95		
972 · Park Buildings Improvement	60,048.59		143,009.43	120,000.00	120,000.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 September 2011

	<u>Sep 11</u>	<u>Budget</u>	<u>Jul - Sep 11</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Total 950 · Capital Outlay	60,048.59		148,683.38	120,000.00	120,000.00
Total Expense	291,693.17	196,224.34	817,591.26	762,931.44	2,647,212.00
Net Ordinary Income	-263,800.82	979,536.66	418,265.68	1,614,787.56	-57,262.00
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
710 · Bond Admin.	2,256.64		4,519.92		
720 · Bond Principal	0.00		108,916.14		
730 · Bond Interest	0.00		27,871.20		
Total 700 · Bond Issue Expenses	<u>2,256.64</u>		<u>141,307.26</u>		
Total Other Expense	<u>2,256.64</u>		<u>141,307.26</u>		
Net Other Income	<u>-2,256.64</u>	0.00	<u>-141,307.26</u>	0.00	0.00
	<u><u>-266,057.46</u></u>	<u><u>979,536.66</u></u>	<u><u>276,958.42</u></u>	<u><u>1,614,787.56</u></u>	<u><u>-57,262.00</u></u>

Memorandum

Kensington Police Department



To: Board of Directors

APPROVED YES NO

From: Gregory E. Harman, General Manager

Date: Thursday, October 06, 2011

FORWARDED TO:

Subject: Consent Calendar Item C- Park Revenue & Expenses

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

This information is obtained through our QuickBooks software and revenue and expenses for the fiscal year to date is attached to this memo.

KPPCSD
Account QuickReport
 July 1 through October 6, 2011

Type	Date	Num	Name	Memo	Split	Amount
420 - Park/Rec Activities Revenue						
427 - Community Center Revenue						
Deposit	7/29/2011	1072		East Bay Coll...	112 - General ...	598.00
Deposit	7/29/2011	3133		CC Rental	112 - General ...	375.00
Deposit	7/29/2011	1247		CC Rental	112 - General ...	600.00
Deposit	7/29/2011	6168		CC Rental	112 - General ...	180.00
Deposit	9/23/2011	957		CC Rental	112 - General ...	600.00
Deposit	9/23/2011	154		CC Rental	112 - General ...	700.00
Deposit	9/23/2011	710		Wake Up to ...	112 - General ...	45.00
Deposit	9/23/2011	746		Wake Up to ...	112 - General ...	45.00
Total 427 - Community Center Revenue						3,143.00
Total 420 - Park/Rec Activities Revenue						3,143.00
TOTAL						3,143.00

KPPCSD
Account QuickReport
 July 1 through October 6, 2011

Type	Date	Num	Name	Memo	Split	Amount
600 · Park/Rec Sal & Ben						
601 · Park & Rec Administrator						
Paycheck	7/15/2011		Di Napoli, Andrea		112 · General ...	151.00
Paycheck	7/29/2011		Di Napoli, Andrea		112 · General ...	222.00
Paycheck	8/15/2011		Di Napoli, Andrea		112 · General ...	307.25
Paycheck	8/30/2011		Di Napoli, Andrea		112 · General ...	291.25
Paycheck	9/14/2011		Di Napoli, Andrea		112 · General ...	307.50
Paycheck	9/29/2011		Di Napoli, Andrea		112 · General ...	281.25
Total 601 · Park & Rec Administrator						1,560.25
602 · Custodian						
Check	7/15/2011	13224	William Driscoll	July 1 - 15 se...	112 · General ...	875.00
Check	7/29/2011	13267	William Driscoll	July 16 - July ...	112 · General ...	875.00
Check	8/15/2011	13289	William Driscoll	August 1-15, ...	112 · General ...	875.00
Check	8/30/2011	13330	William Driscoll	August 16-31...	112 · General ...	875.00
Check	9/15/2011	13346	William Driscoll	Sept 1 - 15, 2...	112 · General ...	875.00
Check	9/30/2011	13414	William Driscoll	Sept 16 -30, ...	112 · General ...	875.00
Total 602 · Custodian						5,250.00
Total 600 · Park/Rec Sal & Ben						6,810.25
TOTAL						6,810.25

KPPCSD
Account QuickReport
 July 1 through October 6, 2011

Type	Date	Num	Name	Memo	Split	Amount
635 · Park/Recreation Expenses						
640 · Community Center Expenses						
642 · Utilities-Community Center						
Check	7/29/2011	13273	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
Check	8/15/2011	13302	EBMUD	For 2 Arlmont	112 · General ...	329.06
Check	9/15/2011	13356	Pacific Telemanage...	Pay phone CC	112 · General ...	78.00
Check	9/30/2011	13396	Pacific Telemanage...	Pay phone C...	112 · General ...	78.00
Check	9/30/2011	13416	PG&E	59 Arlington ...	112 · General ...	144.61
Total 642 · Utilities-Community Center						707.67
643 · Janitorial Supplies						
Check	7/29/2011	13278	UBS	Community C...	112 · General ...	597.62
Total 643 · Janitorial Supplies						597.62
646 · Community Center Repairs						
Check	8/15/2011	13299	Kensington Home a...	Bill Driscoll	112 · General ...	17.61
Check	8/15/2011	13299	Kensington Home a...	Bill Driscoll C...	112 · General ...	74.37
Check	9/15/2011	13384	Cherokee Construct...	Job # 0911-3	112 · General ...	18,600.00
Total 646 · Community Center Repairs						18,691.98
640 · Community Center Expenses - Other						
Check	8/15/2011	13291	PG&E	59 Arlington ...	112 · General ...	156.15
Check	8/30/2011	13325	PG&E	59 Arlington ...	112 · General ...	134.58
Total 640 · Community Center Expenses - Other						290.73
Total 640 · Community Center Expenses						20,288.00
660 · Annex Expenses						
662 · Utilities - Annex						
Check	7/15/2011	13217	EBMUD	1 Windsor se...	112 · General ...	155.00
Check	8/30/2011	13325	PG&E	Annex	112 · General ...	50.31
Check	9/15/2011	13371	EBMUD	1 windsor 7-1...	112 · General ...	1,018.00
Check	9/15/2011	13371	EBMUD	1 windsor 7-1...	112 · General ...	160.10
Check	9/30/2011	13416	PG&E	Annex	112 · General ...	27.83
Total 662 · Utilities - Annex						1,411.24
Total 660 · Annex Expenses						1,411.24
672 · Kensington Park O&M						
Check	7/15/2011	13213	NBS Government Fi...	LMD Admin l...	112 · General ...	1,080.59
Check	7/15/2011	13218	EBMUD	1 Windsor irri...	112 · General ...	659.88
Check	7/15/2011	13247	Summer Rain Land...	monthly main...	112 · General ...	2,050.00
Check	8/15/2011	13300	Summer Rain Land...	August fee	112 · General ...	2,050.00
Check	8/15/2011	13300	Summer Rain Land...	Repair of woo...	112 · General ...	400.00
Check	9/15/2011	13352	Olivero Plumbing Co.	Backflow Tes...	112 · General ...	112.00
Check	9/15/2011	13373	Summer Rain Land...	removal of 2 l...	112 · General ...	3,100.00
Check	9/15/2011	13373	Summer Rain Land...	removal of tre...	112 · General ...	460.00
Check	9/15/2011	13373	Summer Rain Land...	repair of hunt...	112 · General ...	185.00
Check	9/15/2011	13373	Summer Rain Land...	Sept 2011 m...	112 · General ...	2,050.00
Check	9/15/2011	13375	Summer Rain Land...	removal of 2 l...	112 · General ...	0.00
Check	9/15/2011	13375	Summer Rain Land...	removal of tre...	112 · General ...	0.00
Check	9/15/2011	13375	Summer Rain Land...	repair of hunt...	112 · General ...	0.00
Check	9/15/2011	13375	Summer Rain Land...	Sept 2011 m...	112 · General ...	0.00
Check	9/30/2011	13399	NBS Government Fi...	LMD Admin l...	112 · General ...	1,108.86
Total 672 · Kensington Park O&M						13,256.33
678 · Misc Park/Rec Expense						
Check	7/15/2011	13248	Steven Lee	Eagle Scout ...	112 · General ...	203.45
Check	8/15/2011	13290	BPXpress	Invoice#RI00...	112 · General ...	260.50
Check	9/15/2011	13360	Saviano Company l...	Tennis Court ...	112 · General ...	2,000.00

12:00 PM
10/06/11
Accrual Basis

KPPCSD
Account QuickReport
July 1 through October 6, 2011

Type	Date	Num	Name	Memo	Split	Amount
Total 678 · Misc Park/Rec Expense						<u>2,463.95</u>
Total 635 · Park/Recreation Expenses						<u>37,419.52</u>
TOTAL						<u>37,419.52</u>

September 2011 Police Department Report

October 4, 2011

- Department Personnel
 - Reserve Police Officer Chris Turner will be hired as a full time paid officer on October 6th. Chris has done an outstanding job in our reserve program and we believe he will be a great addition to our staff. Officer Turner will be sworn in at the October 13th KPPCSD meeting. Congratulations Chris!
 - Reserve Officer Chris Armanino has completed his field training program and is now on solo duty. Congratulations Chris!
- Commendations and Correspondence- None this month
- Investigation of Alleged Misconduct
 - Department Investigation #2010-001 was initiated on September 20th on an allegation that an officer posted an inappropriate screen saver on a District computer. The investigation was conducted by Sergeant Hull. The investigation was sustained and discipline administered.
 - Department Investigation #10-003 was initiated on November 11th, at the KPPCSD Board meeting, when Catherine de Neergaard made a formal complaint indicating, "That there is no fair, impartial, and reasonable police review procedure", after voicing her complaints regarding Chief Harman's policies and directions to the department were not being heard. This complaint was followed by an e-mail complaint received by Chief Harman on November 15th.

At the August 11th Board meeting, The KPPCSD Board agreed to hire Labor Law Attorney Lee Ann Wallace to investigate the allegations. Ms. Wallace has been provided all documentation and has nearly completed her investigation.
 - Department Investigation 2011-002 was initiated on June 5, 2011, on an allegation that an officer falsified an official police document. This investigation is being conducted by Sergeant Hull.
 - Department Investigation 2011-003 was initiated on June 10, 2011,

on allegations that an officer caused a hostile work environment, insubordination, conduct violations, and discrimination. The internal investigation was completed by Sergeant Hull on August 1st. A Skelly hearing was held September 7th. Discipline was administered and is pending appeal.

- Department Investigation 2011-004 was initiated on July 5, 2011 on allegations that an officer violated department reporting procedures. This investigation is being conducted by Sergeant Hull.
- 9-1-1 / Richmond Communication Center Information.
- The Ring Time Report for August indicated that there were a total of 40 "911" calls with 2 having ring times over 20 seconds. The first occurred on 08-01-11 with a ring time of 35 seconds at 8:33 PM and was a fire call with no further information available. The second occurred on 08-17-11 at 8:15 PM with a ring time of 21 seconds. Average ring time for the month was 5 seconds.

The Ring Time Report for September has not been received yet.

- Communication Center Service Complaints- None this month.
- Community Networking
 - On 09-12-11, Officer Wilson and I attended the Kensington Public Safety Council meeting. The next meeting of the KPSC is scheduled for Monday, 10-10-11, at 6:30 PM in Room 3 of the Community Center.

Following the KPSC meeting, Chief Harman attended the KCC meeting.
 - On 09-14-11, Chief Harman attended the LAFCO meeting in Martinez, in which the County's Police Municipal Services Review was accepted by the LAFCO Board.
 - On 09-17-11, Detective Barrow participated in the Tri- City Day at El Cerrito Plaza.
 - On 09-26-11, Chief Harman attended the KIC meeting.
 - On 09-27-11, Chief Harman attended the KMAC meeting.
 - On 09-29-11, Chief Harman met with parent representatives to discuss school traffic safety.

- Community Criminal Activity
 - This section of the Watch Commander's Reports are prepared by Sergeant Hull for Team One, Acting Sergeant Hui for Team 2, and Detective Barrow.
- Watch Commander Reports
 - **Sergeant Hull**
(1400-0200)

TEAM #1 STATISTICS

Officer:	Wilson (K33) (0600-1800)	Stegman (K32) (1800-0600)
Days Worked	15	16
Traffic Stops	16	7
Moving Citations	4	1
Parking Citations	5	0
Vacation/Security Checks	32	1
FI-Field Interview	0	0
Cases	0	1
Self Initiated Cases	0	1
Arrests	0	1
Calls for Service	45	49

BRIEFING/TRAINING:

- Reviewed Mayer Alert – Open Carry of Firearms
- Reviewed Principles of Probable Cause
- Reviewed Penal Code 148.9 – False Representation of Identity
- Reviewed Penal Code 529 – False Personating of Another
- Reviewed Penal Code 827.1 – Deny release of Misdemeanor Warrant
- Reviewed Vehicle Code 40302 – Mandatory Appearance
- Reviewed a Report of Child Abuse from CPS
- Reviewed Investigation Contacts (CCI 2011)
- Reviewed CHP Bulletin – On Duty Emergency Vehicle Accidents
- Reviewed Definition – Accident
- Reviewed Definition – School Bus
- Reviewed Definition – Special Conditions
- Reviewed Definition - Witness
- Reviewed KPD Policy 330 – Child Abuse Reporting
- Reviewed KPD Policy 418 – Mental Illness Commitments
- Reviewed KPD Policy 420 – Cite and Release Policy

Reviewed KPD Policy 502 – Traffic Collision Reports
Reviewed KPD Policy 602 – Sexual Assault Victims DNA Rights

SERGEANT'S SUMMARY:

I would like to remind everyone not to leave valuables inside your vehicles where they can be easily seen. The temptation may be too much for a criminal to resist. I would also like to suggest locking the doors to your vehicles after you park them and leave them unattended. I understand that some prefer to remove all valuables from vehicles and leave the doors unlocked. Theory being if a criminal wants to get into a vehicle, nothing need be damaged for the criminal to gain entry. It is my preference that all vehicles be locked when unattended.

SIGNIFICANT EVENTS:

- 2011-5893 – On 9-5-2011, Sgt. Hull responded to the unit block of Kingston Dr. to a report of a suspicious event.
- 2011-5910 – On 9-5-2011, Officer Stegman responded to the 200 block of Berkeley Park Blvd. a resident was taken into custody for mental evaluation.
- 2011-5931 – On 9-5-2011, Officer Stegman responded to the 200 block of Arlington Ave. to a report of petty theft.
- 2011-5914 – On 9-6-2011, Officer Stegman and Reserve Duong responded to the 200 block of Kenyon Ave. to a report of a resident in need of medical assistance.
- 2011-5918– On 9/6/2011, Officer Stegman and Reserve Duong responded to the 200 blk of Cambridge Ave on a report of a grand theft.
- 2011-5931– On 9/6/2011, Officer Stegman responded to the 200 blk of Arlington Ave on a report of a petty theft.
- 2011-6121 – On 9-13-2011, Officer Wilson responded to the 200 block of Arlington Ave. to a report of an animal bite.
- 2011-6272– On 9/18/2011, Sergeant Hull responded to the unit blk of Kingston Rd on a report of domestic violence. The primary aggressor was arrested.
- 2011-6283– On 9/19/2011, Officer Wilson and Reserve Armanino responded to the 100 blk of Purdue Ave on a report of a vandalism.
- 2011-6479 – On 9/25/2011, Officer Wilson responded to the 200 blk of Grizzly Peak Blvd on a report of an auto burglary.
- 2011-6490 – On 9/26/2011, Officer Stegman and Reserve Duong responded to the 200 blk of Yale Ave on a report of a stolen vehicle. One juvenile suspect arrested.
- 2011-6491 – On 9/26/2011, Officer Stegman and Reserve Duong responded to the unit blk of Kingston Rd on a report of a burglary.
- 2011-6493 - On 9-26-2011, Officer Wilson contacted a suspicious person looking over fences on Sunset Drive.

•• **Acting Sergeant Hui**

TEAM #2 STATISTICS

A.S. Hui (K42) issued 1 moving violation
(1400-0200)

Officer:	Martinez (K31) (0600-1800)	Ramos (K41) (1800-0600)
Days Worked	16	17
Traffic Stops	52	33
Moving Citations	38	20
Parking Citations	9	0
Vacation/Security Checks	53	193
FI-Field Interview	0	0
Cases	8	1
Self Initiated Cases	0	0
Arrests	0	0
Calls for Service	85	32

Officer Ramos took 12 hours of vacation.
Officer Martinez took 12 hours of vacation.
Acting Sergeant Hui recovered 27.5 hours of comp time.

BRIEFING/TRAINING:

- Reviewed sections of "Verbal Judo" by George Thompson
- Reviewed KPD Policy #410 – Ride Alongs
- Reviewed KPD Policy #432 – Patrol Rifles
- Reviewed case law: Kentucky v King

SERGEANT'S SUMMARY:

During this past month, Reserve Officer Turner and Reserve Officer Armanino completed their field training programs. I would like to congratulate them for passing the field training program and thank them for all the time they volunteered to accomplish this goal.

In a recent Berkeley PD Crime Advisory by Officer White, he details a trend of residential burglaries in the North Berkeley Hills between noon and 6pm. I would like to remind residents to take extra caution in securing their residences and vehicles. Often times, burglaries are a crime of opportunity where the would be burglar sees an item that he wants to steal. One of the most effective ways of reducing the likelihood that your house or vehicle could

be burglarized is by making sure that you do not have any valuables left in plain view, and that you lock and secure your residence or vehicle.

SIGNIFICANT EVENTS:

- 2011-5852 – On 9/3/2011, Officer Ramos responded to the unit blk of Kingston Rd on a report of a petty theft.
- 2011-6013 – On 9/10/2011, Officer Martinez and Reserve Armanino responded to the 600 blk of Oberlin Ave on a report of a petty theft.
- 2011-6146 – On 9/14/2011, Acting Sergeant Hui responded to the 200 blk of Colgate Ave on a report of a petty theft.
- 2011-6185 – On 9/16/2011, Officer Ramos responded to the 200 blk of Colusa Ave on a report of a petty theft.
- 2011-6273 – On 9/18/2011, Officer Ramos responded to the 200 blk of Stanford Ave on a report of a non-injury hit and run collision.
- 2011-6420– On 9/23/2011, Officer Martinez and Reserve Turner responded to the 200 blk of Lake Dr on a report of a grand theft.
- 2011-6431 – On 9/23/2011, Officer Martinez responded to the 100 blk of Highland Blvd on a report of a grand theft.
- 2011-6458 – On 9/24/2011, Officer Martinez responded to the unit blk of Lam Ct on a report of a non-injury hit and run collision.
- 2011-6462 – On 9/24/2011, Officer Ramos responded to the 100 blk of Highland Blvd on a report of a theft of mail.
- 2011-6537 – On 9/28/2011, Officer Martinez responded to the 300 blk of Coventry Rd on a report of a petty theft.
- 2011-6544 – On 9/28/2011, Acting Sergeant Hui responded to the unit blk of Richardson Rd on a report of an identity theft.
- 2011-6564 – On 9/29/2011, Officer Martinez and Reserve Armanino responded to the 800 blk of Coventry Rd on a report of a burglary.
- 2011-6587 – On 9/30/2011, Officer Martinez responded to the unit blk of Kerr Ave on a report of a petty theft.
- 2011-6588 – On 9/30/2011, Officer Martinez responded to the unit blk of Franciscan Way on a report of a petty theft.

TRAFFIC ENFORCEMENT:

- 37 moving citations were issued on Arlington Ave.
- 32 moving citations were issued on Colusa Ave.
- 12 moving citations were issued on Franciscan Way.
- 1 moving citation was issued on Highland Ave.

•• **Detective Keith Barrow**

SIGNIFICANT EVENTS:

2011-5504, 5580 Petty Theft

On Sunday August, 21 & 23, 2011, Officers took two reports of catalytic converters being stolen from vehicles on Purdue Avenue and Arlmont Road. These cases are under investigation.

2011-4023 Hit and Run

On 06-20-11, Officer Wilson responded to a hit and run vehicle accident on Amherst Avenue. The victim vehicle was parked along the west curb line and the suspect vehicle failed to leave a note or make any attempt to contact the owner. Officer Wilson's investigation yielded a suspect vehicle. I contacted the owner and this case is closed. **This case is closed and has been submitted to the Contra Costa DA for prosecution.**

KPD INVESTIGATIONS INFORMATION:

2011-4980 Hit and Run

On Tuesday, July 28, 2011, officers responded to a hit and run vehicle accident in the 300 block of Colusa Avenue. Through a good initial investigation by KPD Officer Ramos, I was able to contact the suspect in Berkeley. **This case is closed and has been submitted to the Contra Costa DA for prosecution.**

2011-1618 Homicide.

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

During the month of September we did not take any Residential or Commercial Burglary reports. I believe this is due to the high visibility of our officers and reserves.

We arrested two Hit and Run drivers through good initial investigations by KPD Officers Ramos and Wilson. They were able to obtain good witness statements and physical evidence left at the scenes. Good job.

KPD INVESTIGATIONS

- Made several court runs for filling cases, and retrieve court notifications.
- Updated the KPD residential burglary log.
- Updated the KPD stolen vehicle log.
- I'm currently assigned one day per week as a Field Training Officer.

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.

In the month of September West-NET agents conducted over 13 search warrants and arrested numerous suspects. Agents seized over 65 lbs. of methamphetamines, over 550 marijuana plants, and 15 lbs. of marijuana processed and packaged for sale. We also seized over 15 firearms.

CRIME SUMMARY:

In the month of September the District of Kensington sustained:

- 0 Homicides
- 0 Robberies
- 0 Rapes
- 0 Assaults
- 0 Residential Burglaries
- 0 Attempted Residential Burglaries
- 0 Commercial Burglaries
- 1 Auto Burglary
- 2 Stolen Vehicles
- 3 Grand Thefts
- 8 Petty Thefts
- 5 Thefts from Unlocked Vehicles
- 0 Frauds
- 0 Forgeries
- 1 Vandalism
- 1 Identity Theft
- 0 Injury Accidents
- 1 Non-Injury Vehicle Accident
- 0 Injury Hit and Run Accident
- 3 Hit and Run Vehicle Accidents

•• Chief Harman

The month of September saw significant changes in personnel and assignments in the police department.

Detective Barrow was promoted to the rank of Corporal. This promotion was well deserved and will assist us in providing additional patrol supervision and coverage when the sergeants are on scheduled vacations.

Reserve Officer Mike Colon completed his field training assignment in August and has begun solo patrol in the District.

Reserve Officer Chris Armanino completed his field training assignment and has begun solo patrol in the District.

Reserve Officer Chris Turner not only completed his field training but will be sworn in as a full time paid officer beginning October 6th. Chris is a great addition to our department and this hiring also increases our staffing back to 9 positions. This will enable us to transfer Traffic Officer Juan "Manny" Ramos from the graveyard shift back to traffic duties once Officer Turner gains experience working as a solo officer.

Reserve Officers Foley and Duong are continuing their training in the field training program.

Hopefully, by the end of the year we will be back up to full staffing and with our reserve officers on solo duty, begin to really become proactive in crime prevention and traffic enforcement.

October 2011

October 2011							November 2011							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	2	3	4	5	6	7	8			1	2	3	4	5
9	10	11	12	13	14	15		6	7	8	9	10	11	12
16	17	18	19	20	21	22		13	14	15	16	17	18	19
23	24	25	26	27	28	29		20	21	22	23	24	25	26
30	31							27	28	29	30			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Sep 25	26	27	28	29	30	Oct 1
9/25 - 30							11:00am Celebrate All
	2	3	4	5	6	7	8
10/2 - 7		7:00pm Pack 82; CCN 7:30pm KCC Meeting	7:00pm KPD CITIZEN 7:00pm Troop 100; C		7:15pm EBC; CCM &		
	9	10	11	12	13	14	15
10/9 - 14		COLUMBUS DAY 4:00pm Brownies; CC 7:00pm Pack 82; CCN	7:00pm KPD CITIZEN 7:00pm Troop 100; C	7:30pm GPFF; CCM	6:00pm KPCCSD MTG		1:00pm Park Public TV
	16	17	18	19	20	21	22
10/16 - 21	9:00am KCC Parade	4:00pm Daisy Troop; 7:00pm Pack 82; CCN	7:00pm KPD CITIZEN 7:00pm Troop 100; C	7:00pm KFD Mtg, CC	7:15pm EBC; CCm &	7:00pm 7pm-12am; f	12:00pm CC Rental; C
	23	24	25	26	27	28	29
10/23 - 28		7:00pm Pack 82; CCN 7:30pm KIC; CC3	7:00pm KPD CITIZEN 7:00pm Troop 100; C 7:30pm KMAC, CC3				
	30	31	Nov 1	2	3	4	5
10/30 - 11/4		HAPPY HALLOWEEN 7:00pm Pack 82; CCN					

November 2011

November 2011							December 2011						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
6	7	1	2	3	4	5	4	5	6	7	1	2	3
13	14	8	9	10	11	12	11	12	13	14	8	9	10
20	21	15	16	17	18	19	18	19	20	21	22	23	24
27	28	22	23	24	25	26	25	26	27	28	29	30	31

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Oct 30 - Nov 5	Oct 30	31	Nov 1 7:00pm KPD CITIZEN 7:00pm Troop 100; C	2	3 7:15pm EBC; CCM &	4	5 9:00am Town Hall Mt
	6	7 7:00pm Pack 82; CCM 7:30pm KCC Meeting 7:30pm KARO; CC3	8 7:00pm KPD CITIZEN 7:00pm Troop 100; C	9 7:00pm KFD Meeting 7:30pm GPFF; CCM	10 6:00pm KPPCSD MTC	11	12 8:00am Cert Prog; CC
Nov 6 - 12	13	14 7:00pm Pack 82; CCM	15 7:00pm KPD CITIZEN 7:00pm Troop 100; C	16	17 7:15pm EBC; CCM &	18	19 11:00am CC Rental; C
	20	21 4:00pm Daisy Troop; 7:00pm Pack 82; CCM	22 7:00pm KPD CITIZEN 7:00pm Troop 100; C	23	24	25	26
Nov 13 - 19	27	28 7:00pm Pack 82; CCM 7:30pm KIC; CC3	29 7:00pm Troop 100; C 7:30pm KMAC; CC3	30	Dec 1	2	3

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**Office Report
Kensington Community Council Board Meeting
October 3, 2011**

KASEP:

We're entering our second week of the fall session with 217 children enrolled in 385 class slots (calculates to a little less than one child takes 2 classes) KCC has 19 KASEP teachers on-hand this fall, teaching 52 classes. Three new classes are being offered: Creative Drama, Jewelry Making and Discovering Poetry.

Parents donated \$570 to the scholarship fund at fall registration (up from \$305 in 2010). We gave 6 scholarships. Our KASEP teachers will meet on Tuesday, October 11th and the Oversight Committee will meet on Wednesday, October 12.

KCC Classes and Events:

Three new adult classes began the end of September: Beginning Watercolor, Thriving Relationships and Rosen Movement. Kaye Anderson's "Hoops Power" and Stan's Art class resumed this fall as well. Announcement of classes went out on the Kensington Hilltop E-tree, flyers in the library and announcements in the Outlook. Adult classes struggle with getting enough adults to participate and for instructors to have a minimum number of students to hold a class.

KCC Administrative:

Tennis court cracks were repaired in September and repainted.

Annual Fund Drive will launch this November with letter and envelope inserted in November's Outlook.

The KCC Parade, October 16th received confirmation parade participants from two Girl Scout Troops, The Fuse Fitness, 4Cats Kids Art Studio, the Boys Scouts, Rabbit Ears and a possible Kensington's Farmer's Market.

KCC donated 2 classes to the Kensington Hilltop Garden Party, one in winter and one in spring.

Respectfully submitted,

Marty Westby
KCC Administrator

General Manager

September 2011 Report

Kensington Park

Park Restroom

On Wednesday, October 5th, the park restroom was opened for business! The KPPCSD will be asked to finalize the project at the October 13th KPPCSD Board meeting.

Congratulations and thank you to our volunteer project team of Andrew Mixer, Jack Griffith, and Italo Calpestri, who have been working on the project since July 2009.

Community Center & Annex

The District has contracted with Muller & Caulfield to obtain professional services in connection with an integrated building remodeling plan for the Kensington Park buildings.

The first Public Park Buildings Meeting is scheduled for Saturday, October 15th, between 1 and 4 PM. For more information regarding the meeting, please go to the District website.

At the August 11th KPPCSD Board meeting, The Board moved to hire Cherokee Construction to repair the roof, water damage to the storage rooms, and the replacement of the water heater at the Community Center. The repair work began the last week in August and was completed in September.

Park Repairs

The vandalism to the tennis court back wall was repaired this month.

Emergency Preparedness

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

The next meeting of the Kensington Public Safety Council will take place Monday, October 12th, at 6:30 PM at the Community Center Room #3. It is very important for those interested in Kensington's emergency preparedness to come to the meetings. The declining community interest in this group is placing this group's continued existence in jeopardy.

We were notified by the Kensington Amateur Radio Operators (KARO) that their emergency radio equipment was stolen from the storage shed located on Anson Way. This equipment was originally purchased by the District and is part of the District emergency plan. I am working with KARO on purchasing replacement equipment and identifying better security at the site.

Other District Items of Interest

Solid Waste

In response to Bay View's request for assignment of the contract to Republic Services, Inc. - Richmond Sanitary Services, the District sent requests for documents to Republic's attorney in early July and in August. The requests asked for audited financial statements, evidence of insurance and other information that must be analyzed in order to confirm the capability of the proposed assignee to satisfactorily perform the services required by the agreement. We have not yet received the requested documents for review.

Traffic

With the hiring of Officer Chris Turner on October 6th, we will soon be able to reassign Traffic Officer Juan "Manny" Ramos back to traffic enforcement duties. Once Officer Turner has established himself as a solo officer, we will reassign Officer Ramos from his current graveyard shift back to traffic.

Website

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

www.kensingtoncalifornia.org.

ATT

ATT has notified the District that they are beginning a project to install a new fiber optics cabinet within the public right of way on the east side of Arlington Avenue adjacent to the library at 61 Arlington. There will also be trenching work across Arlington Avenue to connect to PG&E facilities. As those of you that have recently driven on Arlington have noticed, the construction has begun.

Public Safety Building

While driving on the Arlington, you have also noticed the Kensington Fire Protection District has begun the remodel of the Public Safety Building. To our neighbors, we apologized for the additional strain this has placed on parking availability along the Arlington.

Drug Take Back Day

The Kensington Police Department and the Kensington Fire Department will be holding another National Take Back Day on Saturday, October 29th, between 10 AM and 2 PM. This event is sponsored by the U.S. Department of Justice Drug Enforcement Administration. Please bring your un-needed pharmaceutical controlled substances to the Public Safety Building for disposal.

DISTRICT – OLD BUSINESS

1. General Manager/ Chief of Police Greg Harman will present to the Board for a third reading, Kensington Police Protection & Community Services District Policy # 1020.30 "Nepotism" as a result of the Contra Costa Grand Jury findings reported at the July 14th KPPCSD Board meeting. Board action.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

POLICY TITLE: Conflict of Interest
POLICY NUMBER: 1020

1020.30 Anti-nepotism

The purpose of this policy is to ensure effective supervision, safety, security, performance, assignments, and discipline while maintaining positive morale by avoiding actual or perceived favoritism, discrimination, or other actual or potential conflicts of interest by or between District board members, employees of the District, and the community.

1020.31 Definitions

Relative- The parent, stepparent, spouse, ex-spouse, domestic partner, significant other, child (natural, adopted or step), sibling, grandparent, great-grand parent, cousin, niece, nephew, grandchild, first cousin once removed or second cousin of any District board member or employee. In addition, the parent, stepparent, spouse, ex-spouse, domestic partner, significant other, child (natural, adopted or step), sibling, grandparent, great-grand parent, cousin, niece, nephew, grandchild, first cousin once removed or second cousin of any spouse or ex-spouse of a District board member or employee.

Personal Relationship- Includes marriage, cohabitation, dating, or any other intimate relationship beyond mere friendship.

Business Relationship- Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture, or other transaction where the District board member's or employee's annual interest, compensation, investment, or obligation is greater than \$250.

Conflict of Interest- Any actual, perceived or potential conflict of interest in which it reasonably appears that a District board member's or employee's action, inaction, or decisions are or may be influenced by the District board member's or employee's personal or business relationship.

Supervisor- A District board member or employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation, and/or performance of a subordinate employee.

Subordinate- An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

1020.35 Restricted Duties and Assignments

While the District will not prohibit personal or business relationships between its board members, employees, and the community, the following reasonable restrictions and safeguards shall apply to District board members and employees in order to avoid actual or perceived nepotism:

(a) District board members and employees are prohibited from directly supervising, occupying a position in the line of supervision, or being directly supervised by any other board member or employee who is a relative or with whom they are involved in a personal or business relationship.

1. If circumstances require that such a supervisor/subordinate relationship exists temporarily, the supervisor shall make every reasonable effort to defer matters involving the involved board member or employee to an uninvolved supervisor.

2. When personnel and circumstances permit, the District will attempt to make every reasonable effort to avoid placing board members or employees in such supervisor/subordinate situations. The District however, reserves the right to transfer or reassign any board member or employee to another position within the same classification as it may deem necessary in order to avoid conflicts with any provision of this policy.

(b) District board members and employees are prohibited from participating in, contributing to, or recommending new hires, promotions, assignments, performance evaluations, transfers or other personnel decisions affecting a board member or employee who is a relative, or with whom they are involved in a personal or business relationship.

(c) In order to avoid actual or perceived conflicts of interest, District board members and employees shall disclose to the board of directors in writing any personal or business relationship with District board members, District employees or vendors. The District board will recommend appropriate action after considering any conflict of interest issues with legal counsel.

(d) In the event that conflicts of interest, real or perceived, arising in a selection process cannot be adequately addressed by the provisions of this policy set forth above, the District will create an impartial selection committee to conduct the selection process. The creation of an impartial selection committee may be initiated by either the General Manager or the District's board of directors.

**KENSINGTON POLICE PROTECTION AND
COMMUNITY SERVICES DISTRICT**

DRAFT

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POLICY NUMBER: 1020

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Deleted: or

Deleted: or

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Conflict of Interest- Any actual, perceived or potential conflict of interest in which it reasonably appears that a District board member's or employee's action, inaction, or decisions are or may be influenced by the District board member's or employee's personal or business relationship.

Kensington Police Protection and Community Services District
Policy # 1020 "Conflict of Interest"
Policy # 1020.30 "Nepotism"
Adopted September 8, 2011

3562818.3

Supervisor- A District board member or employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation, and/or performance of a subordinate employee.

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2. When personnel and circumstances permit, the District will attempt to make every reasonable effort to avoid placing board members or employees in such supervisor/subordinate situations. The District however, reserves the right to transfer or reassign any board member or employee to another position within the same classification as it may deem necessary in order to avoid conflicts with any provision of this policy.

(b) District board members and employees are prohibited from participating in, contributing to, or recommending new hires, promotions, assignments, performance evaluations, transfers or other personnel decisions affecting a board member or employee who is a relative, or with whom they are involved in a personal or business relationship.

DRAFT

(c) In order to avoid actual or perceived conflicts of interest, District board members and employees shall disclose to the board of directors in writing any personal or business relationship with District board members, District employees or vendors. The District board will recommend appropriate action after considering any conflict of interest issues with legal counsel.

(d) In the event that conflicts of interest, real or perceived, arising in a selection process cannot be adequately addressed by the provisions of this policy set forth above, the District will create an impartial selection committee to conduct the selection process. The creation of an impartial selection committee may be initiated by either the General Manager or the District's board of directors.

DISTRICT - NEW BUSINESS

1. Chief of Police Greg Harman will give the Oath of Office to Police Officer Chris Turner.

DISTRICT - NEW BUSINESS

2. General Manager/ Chief of Police Greg Harman will present to the Board a recommendation that the Board issue the Notice of Final Acceptance for the Kensington Park Restroom Project to ERA Construction. Board Action.

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

From: Gregory E. Harman, General Manager

Date: Thursday, October 06, 2011

FORWARDED TO:

Subject: New Business Item #2 Final Letter of Acceptance Park Restroom

The Phase 4 – Restrooms for Kensington Community Park Project is complete. All aspects of the construction including punch work have been finished. All requisite inspections have been passed. The training of District personnel regarding the maintenance of the Restroom and landscaping have been concluded. The required warranties have been issued. All contract obligations have been met.

It is my recommendation and that of the Volunteer Team that the Board formally approves Final Acceptance of the project.

With this approval I will issue a Notice of Completion and put into motion the required 35 day lien period prior to payment of the 10% retention.

Upon completion of a lien period free of encumbrances the Final Retention Payment will be paid and the project will be brought to a successful conclusion.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

NOTICE OF FINAL ACCEPTANCE

Project: *Phase 4 – Restrooms for Kensington Community Park*

Client: *Kensington Police Protection & Community Service District (District)
217 Arlington Ave., Kensington, California, 94707*

Contractor: *ERA Construction Inc
20 Marin Ave., San Pablo, California, 94801*

On (Date) All work associated with the installation of the Phase 4 – Restrooms at Kensington Community Park, Kensington, California is considered to have been completed by ERA Construction Inc. in accordance with the approved Contract Documents, and Change Orders.

ERA has provided the District with the following Close-Out Documents.

1. As-built Drawings of underground site work.
2. Digital Maintenance & Operation Manuals
3. Hard copies of all Maintenance & Operation Manuals
4. Release of Claims Document
5. Contra Costa County Building Inspector's signed completed inspection card for both the retaining wall and the restroom building.
6. Contra Costa County Plan Review Division's stamped and signed Construction Drawings for both the Retaining Wall and the Restroom Building. These plans also include the approval stamps and signatures of the El Cerrito Fire Department and Stege Sanitary District.
7. Public Restrooms signed Five Year Warrantee.

_____ Date _____

Greg Harman
General Manager
Kensington Police Protection & Community Service District
Kensington, California



"DESIGNING AND BUILDING RESTROOMS...BETTER"

WARRANTY

All work performed by PUBLIC RESTROOM COMPANY (called "Company") shall be warranted to the Owner to be of good quality, free of faults and defects in material, workmanship, and title for 5 years from last date of installation if building is installed by Company or 1 year if building is installed by Owner or Owner's agent without on-site supervision by Company. Company will repair or replace at their sole option any defects in work upon proper notice to the below stated address. This warranty applies only if all work performed by Company has been fully paid for, including change orders if applicable. Company has no responsibility for any neglect, abuse, or improper handling of building product. **The warranties expressed herein are exclusive, and are in lieu of all other warranties expressed or implied, including those of merchantability and fitness.** There are no warranties which extend beyond those described on the face of this Warranty. The foregoing shall constitute the full liability of the Company and be the sole remedy to the Owner.

Project Name: Kensington Community Park - Restroom Building
Kensington, Contra Costa County, California
Restroom Building Serial # SL1018-PR1117493-01

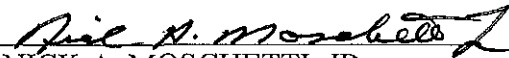
Owner: Kensington Police Protection & Community Service District

Date of Installation: August 30, 2011

Effective Date
of Warranty Period: September 1, 2011 through August 30, 2016

Warranty Contact: Public Restroom Company per below contact information.

PUBLIC RESTROOM COMPANY

Signed by: 
NICK A. MOSCHETTI, JR
Senior Vice President, Chief Counsel

DISTRICT - NEW BUSINESS

3. General Manager/ Chief of Police Greg Harman will present to the Board a recommendation that the Board instruct him to enter into agreement for the Contract Renewal for the Kensington Police Protection Delta Dental Premier Group Dental Plan. Board Action.



May 4, 2011

Kensington Police Protection
217 Arlington Avenue
Kensington, California 94707

**RE: Contract Renewal for Kensington Police Protection
Delta Dental Premier® Group #4912**

We appreciate your business and thank you for choosing Delta Dental of California. Your employees are among the millions nationwide who trust their smiles to Delta Dental.

We are pleased to present you with your dental plan contract renewal information. We are committed to providing you with quality plan designs combined with excellent customer service.

When reviewing your dental plan, we considered cost factors related to Kensington Police Protection's dental service utilization and claims experience. Since there has been little or no change in one or both of these factors, we have determined that no increase in your current rates is necessary.

We have calculated your rates based on the employer/employee contribution levels in your contract remaining the same. If the contribution levels and/or enrollment guidelines have changed or will change, please notify us immediately, as such a change may affect your renewal rate.

The rates for the renewal contract period are:

<i>Effective Date</i>	October 1, 2011	
<i>Contract Term</i>	Two Years	
<i>% of Increase</i>	0%	
	Current Rates	Renewal Rates
<i>Employee</i>	\$64.41	\$64.41
<i>Employee + one dependent</i>	\$124.48	\$124.48
<i>Employee + two or more dependents</i>	\$202.72	\$202.72

To renew your dental plan contract, please sign two complete copies of the amendment. Retain one copy for your records and return the second complete copy to your account manager, Kimberly Crockett, prior to the renewal date.

Delta Dental of California
Headquarters:
100 First Street
San Francisco, CA 94105
Telephone: 415-972-8300

Southern California
Sales/Customer Service:
P.O. Box 3370
Cerritos, CA 90703
17871 Park Plaza Drive, Suite 200
Cerritos, CA 90703
Telephone: 562-403-4040

Commercial Programs
Claims Processing/
Customer Service:
P.O. Box 997330
Sacramento, CA 95899-7330

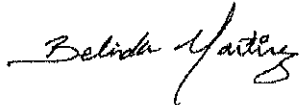
Offices in:
Cerritos, Fresno
Rancho Cordova,
San Diego and
San Francisco

If you choose not to renew your contract, please notify Kimberly Crockett at (415) 974-8549 and advise us in writing.

If you have any questions about your renewal, your account manager will be happy to help. We appreciate your continued confidence in Delta Dental. We are proud of our association with you and look forward to a long and mutually successful relationship.

Sincerely,


DELTA DENTAL OF CALIFORNIA



Belinda Martinez
Senior Vice President
Sales/Marketing



Kevin Jackson
Group Vice President
Underwriting & Actuarial



Kimberly Crockett
Account Manager, Account Services
(415) 974-8549
kcrockett@delta.org

Enclosure: Contract Amendment #4

AMENDMENT NO. 4 TO AGREEMENT

RENEWAL

GROUP #4912

AGREEMENT dated October 1, 2007, as amended, between KENSINGTON POLICE PROTECTION and DELTA DENTAL OF CALIFORNIA "Delta Dental," is hereby further amended, effective October 1, 2011, as follows:

Paragraph 1.4 is amended to read:

- 1.4 "Contract Term" means the period beginning on October 1, 2011, and ending on August 31, 2013 and each subsequent yearly period during which this Contract remains in effect.

**KENSINGTON POLICE PROTECTION
DELTA DENTAL GROUP #4912**

Date Amendment Signed: _____

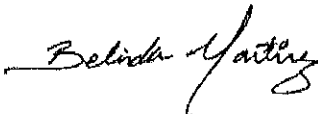
By: _____
Signature

Printed Name

Title

DATE: May 4, 2011

DELTA DENTAL OF CALIFORNIA



**Belinda Martinez
Senior Vice President
Sales/Marketing**



**Kevin Jackson
Group Vice President
Underwriting & Actuarial**

DISTRICT - NEW BUSINESS

4. President Toombs will present to the Board a request to authorize the expenditure of additional funds not to exceed \$5,000 by the firm of Hemming Morse, Inc., CPA with respect to its investigation of the use of District credit cards.