

CENTRAL MARIN POLICE COUNCIL

REGULAR MEETING
TO BE HELD AT
TOWN OF SAN ANSELMO COUNCIL CHAMBERS
525 SAN ANSELMO AVENUE
SAN ANSELMO, CA 94960
ON
THURSDAY, JANUARY 16, 2014
AT 7:00 P.M.

NOTICE IS HEREBY GIVEN THAT THE MEETING LOCATION HAS BEEN CHANGED FROM THE PREVIOUS LOCATION OF 250 DOHERTY DRIVE, LARKSPUR TO THE ABOVE NOTED LOCATION FOR THE THURSDAY, JANUARY 16, 2014 POLICE COUNCIL MEETING AT 7:00 P.M.

AGENDA

- I. **ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**
- III. **OPEN TIME FOR PUBLIC EXPRESSION**

Please Note: Please confine your comments during this portion of the agenda to matters not already on this agenda. The public will be given an opportunity to speak on each agenda item at the time it is called.

- IV. **REPORTS AND COMMENTS**
 - A. COUNCIL MEMBERS
 - B. MANAGEMENT COMMITTEE
 - C. CHIEF CUSIMANO
- V. **CONSENT CALENDAR**
 - A. Approval of Minutes: September 25, 2013, October 3, 2013, November 19, 2013.
 - B. Acknowledge Central Marin Police Authority's Warrant List – FY July 1, 2013 through December 31, 2013.
- VI. **BUSINESS ITEMS**
 - A. Election of Officers
The purpose of this business item is to swear-in new council members and elect the 2014 Chair and Vice-Chair for the Police Council. There is no staff report for this agenda item.

B. Presentation of Life-Saving Awards

Chief Cusimano will highlight incidents where officers' actions saved lives and present Life-Saving medals to the officers.

C. 2013 CMPA Overview and Look Ahead to 2014

Chief Cusimano will present an overview of CMPA in 2013 and look ahead to 2014.

D. Delegation of Disability Determination Authority to the Management Committee

The Management Committee recommends transferring this authority from the Council to the Committee to allow for better administration of this process.

E. Procedure Outlined in JPA Agreement for Selection/Termination of Chief of Police

Per an inquiry from the Council, the Management Committee requests discussion and direction about whether to examine changes to current procedure.

VII. ADJOURN MEETING

The 2014 Central Marin Police Authority Regular Police Council Meetings are scheduled for: January 16, 2014, April 17, 2014, June 19, 2014 and October 16, 2014 at 7:00 p.m.

The Central Marin Police Authority holds Special Meetings throughout the year as needed.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Central Marin Police Authority Clerk at (415) 927-5150. Notification at least 48 hours prior to the meeting will enable the Authority to make reasonable accommodation to help insure accessibility to this meeting.

Any writings or documents provided to a majority of the Central Marin Police Council regarding any item on this Agenda are available during normal business hours, for public inspection at the Central Marin Police Authority, 250 Doherty Drive, Larkspur, CA. Any reports that are provided after the posting of this Agenda and prior to the meeting will be made available at this same location simultaneously as it is provided to the Police Council.

I certify that this agenda was posted in full public view and access at least 72 hours prior to the Police Council meeting time in accordance with the Brown Act.

Dana L. Unruh, Clerk
Central Marin Police Authority

CENTRAL MARIN POLICE COUNCIL

SPECIAL MEETING
HELD AT
CENTRAL MARIN POLICE AUTHORITY BUILDING
250 DOHERTY DRIVE
LARKSPUR, CA 94939
ON
WEDNESDAY, SEPTEMBER 25, 2013
AT 4:30 P.M.

DRAFT MINUTES

The closed session began at 4:35 p.m. and concluded at 4:55 p.m. with no reportable action. Chair Rifkind advised that Vice Chair McInerney arrived at 4:48 p.m., he then opened the public meeting at 4:50 p.m.

ROLL CALL

COUNCIL MEMBERS

PRESENT: Len Rifkind, Chair
Tom McInerney, Vice Chair
Larry Chu, Councilmember
Bob Ravasio, Councilmember
Diane Furst, Councilmember

STAFF

PRESENT: Dave Bracken, Corte Madera Town Manager
Debbie Stutsman, San Anselmo Town Manager
Todd Cusimano, Chief of Police
Jim Shirk, Captain
Sean Smith, Lieutenant
Michael Norton, Lieutenant
Theo Mainaris, Lieutenant

PLEDGE OF ALLEGIANCE

OPEN TIME FOR PUBLIC EXPRESSION

Chair Rifkind asked if any members of the public would like to address the Council. There were no public comments.

CONSENT CALENDAR

1. Approval of Consent Calendar

- A. The Authority Clerk certifies that the Agenda has been posted in accordance with the requirements of the Government Code.
- B. Resolution No. 13/13 – Electing to be Subject to the Public Employees’ Medical and Hospital Care Act and Fixing the Employer’s Contribution to the amount prescribed by Government Code Section 22892(b).
- C. Resolution No. 14/13 – Approving Execution of Contract for Funds made available through the Grant Assistance Program (GAP) administered by the Department of Alcoholic Beverage Control (ABC).
- D. Resolution No. 15/13 – Authorizing the Management Committee to Enter into a Lease Agreement with the Town of San Anselmo.

Chair Rifkind asked if council members had questions or comments regarding Resolution No. 13/13. Chair Rifkind said he would like the Authority Counsel to make sure the references are correct, as the Government Code referenced above is 22892(b), yet the second recital references Government Code Section 22892(a). Authority Legal Advisor Tom Bertrand said the resolution was very likely provided to Larkspur City Manager Dan Schwarz by CalPERS, but he would check and confirm that the section stated is correct. Chair Rifkind also questioned #5 of the resolution, which states the resolution will be in effect January 1, 2013; since it is now September 25, 2013, it should be changed to state, “will be retroactive to January 1, 2013”. Legal Advisor Bertrand said the wording will be changed.

Chair Rifkind asked if council members had questions or comments regarding Resolution No. 14/13. Chair Rifkind asked Chief Cusimano if the department had a plan for using the grant funds. Chief Cusimano said the grant was a result of the efforts of the Twin Cities Coalition for Healthy Youth. He explained that the Coalition wants to emphasize education, training and enforcement, if necessary, for commercial businesses regarding the sale of alcohol and tobacco products to minors. With that as their mission, they were able to obtain the grant in the amount of approximately \$20,000 for recording equipment, training, education and providing overtime for enforcement. He said the Coalition’s goal mirrors the department’s philosophy on policing, which is to contact all commercial businesses, educate them about the problem, give them training for their employees on the laws and what is expected, and then start the enforcement. He explained that enforcement will start with buy/bust exercises, which brings in undercover people to see if the businesses are selling to youth and enforce those laws. Council member Ravasio added that he and Council member Chu work on the Coalition and that this has been part of the Coalition’s action plan. He said there is data showing that a lot of the alcohol found in minors’ possession is obtained at the retail level. He said this plan is an important part of the Coalition’s effort to do everything they can to shut down the illegal sale of alcohol to minors.

Chair Rifkind asked if council members had any questions or comments regarding Resolution 15/13. Chair Rifkind asked how the length of time (three years) for the lease was determined. San Anselmo Town Manager Debbie Stutsman said their town attorney thought it was a good starting point and with a one year option, it is essentially a four year lease. Chair Rifkind confirmed that as long as the three city/towns are in police consolidation, the lease will ultimately be long term. Manager Stutsman confirmed it would be. He asked for clarification on

paragraph eight on the second page as to what the Town of San Anselmo was responsible for and what the Authority was responsible for in regard to building maintenance, upgrades, etc. Manager Stutsman said the intent is that the Authority will be responsible for the parts of the building specific to its use. Main building structural issues such as ADA improvements, etc. will remain the responsibility of the Town of San Anselmo, as the building structure belongs to the Town of San Anselmo. Legal Advisor Bertrand said he was not involved with the drafting of the Lease Agreement and that all of the language pertaining to responsibility is carefully set forth in the JPA. Legal Advisor Bertrand said he will conform the language in the Lease Agreement to that found within the JPA. The Council agreed that once Legal Advisor Bertrand brought the Lease Agreement into conformity, it would not have to come back before Council.

Chair Rifkind asked for any other questions. There were none. Chair Rifkind then asked for a Motion to approve the Consent Calendar.

Motion: M/s Ravasio/Furst to approve the Consent Calendar. The vote was unanimous.

BUSINESS ITEMS

2. Management Committees' Report

Manager Stutsman reported that since the Management Committee has grown to encompass three managers it has become a lengthy and cumbersome process to cycle the Authority's routine paperwork to three different managers (in three different communities) for signatures. She said the Committee would like to assign, on an annual rotating basis, one manager to be the "Executive Manager" who would handle the Authority's routine business paperwork. Legal Advisor Bertrand said when he drafted the JPA, it contained the concept of an Executive Manager and it could be formalized in a bylaw. Council member Furst said she agrees that streamlining is good, but there should be a control in place to ensure the other two managers are always informed of what is being signed so there would be no surprises.

Vice Chair McInerney said it would be good to memorialize the Executive Manager in a bylaw, and he would also like to see a bylaw stating that the Police Council has a part in the selection of a new Police Chief when the time arises. Legal Advisor Bertrand said that would be possible and the managers could get together to draw up a process for hiring a new Chief of Police.

Chief Cusimano said that it is the expectation of the managers that he report to them on a daily, weekly, monthly, and as needed basis. He said he talks to the managers about everything and always keeps them informed. The creation of an Executive Manager is strictly for the streamlining of routine paperwork.

Vice Chair McInerney asked how the chief and managers prefer council members to contact them when they receive a complaint from the public. The consensus of the managers, the chief, as well as other council members, was that the chief, as the department head, should be contacted first, he would then advise the managers and they would advise the council members.

Manager Stutsman said that Chief Cusimano, Lieutenant Norton and she gave a presentation at the recent League of California Cities Conference. Their session was entitled, "Police Consolidation: More for Less". She reported that they had eighty people in the session where they focused on giving other cities strategies on how to consolidate police departments. They spoke about the opportunities and challenges, the steps that were taken toward consolidation, and the nuts and bolts of consolidation.

Manager Bracken said the Authority has retained Bickmore Risk Services to conduct the next OPED analysis as required by GASB 45. He said Finance Director, Amy Koenig is retiring on October 11th, as well as several sworn police officers, so there will be consideration of staffing structures.

3. Chief's Report

Chief Cusimano reported that he is expecting the potential retirements of four sworn police officers. Two of those retirements will be Workers' Compensation-related retirements and will be discussed further in closed session at the October 3rd Council Meeting. He said the approved allotment of sworn police personnel is 45, and he will be asking Council and the Management Committee for approval to fill all four of those positions. Currently the Authority is in the hiring process and hopes to fill the four openings left by the retirees.

The chief said during FY 12/13 the Authority came in under budget by approximately \$43,000 and they will be moving those monies to the insurance fund to offset some costs. The management committee and the chief have been working toward a recommendation for future reserve funds and the insurance fund. Over the next few months they will bring the recommendation before Council and present how they are going to fund these accounts, and what mechanisms will be in place over the next five years.

Sergeant Julie Gorwood and Detective Michael Mejia along with Lieutenant Smith and Lieutenant Norton have developed the Authority's stand-alone website along with all the multi-media functions that come with it. They are working toward having it go live in October.

The chief said he has received an official request from Sausalito Police Department to have CMPA dispatch for them. He said he, his lieutenants and the management committee are looking into the feasibility and structure.

The Authority received two humvees through a federal program and is sharing one with the San Rafael Police Department; they will take possession within the next month.

The chief said the Authority is working with the managers to streamline the Social Host Ordinance as well as a number of other ordinances, between the three communities. The first ordinance to be conformed will be the Social Host Ordinance. They are working with Legal Advisor, Tom Bertrand and will present recommended changes to Council. The focus is on conformity between all three communities with changes to the Corte Madera and Larkspur ordinances and a completely reformatted ordinance for San Anselmo. The changes will be brought before Council, and then go before each city and town council for adoption. The focus will be on quality of life ordinances such as leash, noise, etc,

The chief recently attended a three-day teambuilding with his command staff and the dispatch supervisor. He reported that they identified the front office in Larkspur and San Anselmo as weak points for customer service, and plan to implement a restructuring of the front office staff. The Authority will be implementing a Police Cadet program and will staff the front offices 7 days per week with part-time cadets to better serve the communities.

Chief Cusimano said they are always reviewing procedures and looking for ways to do things better. As soon as a problem is identified mechanisms are put into place to correct them. This applies to evaluating mandatory arrest procedures, and changing policing if necessary. We are evaluating our risk management and examining ergonomic improvement, exercising and weight management and equipment distribution on officers. The Authority has had over seven figures in Workers' Compensation claims over the last five to ten years. Our studies show that 65% of those claims are preventable, so measures are being put into place to reduce liability.

Chair Rifkind asked if there were any questions. There were none.

Chair Rifkind adjourned the meeting at 5:30 P.M.

Respectfully Submitted,

Dana L. Unruh, Clerk
Central Marin Police Authority

CENTRAL MARIN POLICE COUNCIL

HELD AT
CENTRAL MARIN POLICE AUTHORITY BUILDING
250 DOHERTY DRIVE
LARKSPUR, CA 94939
ON
THURSDAY, OCTOBER 3, 2013
AT 4:00 P.M.

DRAFT MINUTES

ROLL CALL

COUNCIL MEMBERS

PRESENT: Len Rifkind, Chair
Kay Coleman, Alternate Councilmember
Bob Ravasio, Councilmember
Ford Greene, Councilmember
Diane Furst, Councilmember
Larry Chu, Councilmember

STAFF

PRESENT: Dan Schwarz, Larkspur City Manager
Debbie Stutsman, San Anselmo City Manager
Todd Cusimano, Chief of Police
Jim Shirk, Captain
Nick Valeri, Captain
Sean Smith, Lieutenant
Michael Norton, Lieutenant
Theo Mainaris, Lieutenant

Closed Session began at 4:08 p.m. Chair Rifkind stated the reportable action from Closed Session is: Council considered and accepted the application of Officer Patrick Eddinger for Industrial Disability Retirement pursuant to Government Code Section 5495785. Closed Session adjourned at 4:30 p.m. Public Session opened at 4:45 p.m.

PLEDGE OF ALLEGIANCE

OPEN TIME FOR PUBLIC EXPRESSION

Chair Rifkind asked if any members of the public would like to address the Council. There were no public comments.

CONSENT CALENDAR

1. **Approval of Consent Calendar**

- A. The Authority Clerk certifies the Agenda has been posted in accordance with the requirements of the Government Code.
- B. Approval of Minutes: Police Council Meeting of June 6, 2013.
- C. Approval of Resolution No. 17/13 – Delegating Authority to make Determination as it Relates to Disability Retirement of Patrick Eddinger.
- D. Resolution No. 18/13 – Authorizing the Management Committee to Execute an Employment Agreement with Chief Todd Cusimano.
- E. Resolution No. 19/13 – Authorizing the Management Committee to Execute Amendments to the Outline of Salaries and Benefits for Management.

Chair Rifkind asked if there were any questions from the public. There were none. Chair Rifkind then asked for a motion to approve the Consent Calendar.

Motion: M/s Greene/Chu to approve the Consent Calendar. The vote was unanimous.

BUSINESS ITEMS

2. **Resolution No. 16/13 - Approving of Job Classification Change from Part-time Community Service Officer to Part-time Police Cadet.**

Chief Cusimano addressed Council and reported that earlier in the year a Council passed a resolution identifying pay-rates and job classifications for every position in the Authority, including part-time Community Service Officer. At last week's Council meeting he reported they have been evaluating every position and continue to restructure the department. He said after evaluating the duties of the part-time (hourly rate) Community Service Officer position, it was decided that the Authority, as well as the community, would be better served by changing the job classification to Police Cadet. The chief said the restructuring will allow the Authority to work within its budget while expanding customer service. The pay rate for the position of Police Cadet would remain \$14.00 - \$18.00 per hour, and will not be a benefited position. The chief said he realizes it is not a pleasant experience for the public to have to pick up a phone to get buzzed into the lobby to wait for assistance. The front desk position is a customer service-based position, the primary duty of which is to greet the public and provide a variety of related clerical tasks. The chief believes that by making this structural change, the community would be provided better customer service at the front counters of both the Larkspur and San Anselmo stations, and by using two part-time police cadets at each counter, the service could be expanded to 7 days per week. The chief asked for direction from Council.

Alternate Councilmember Kay Coleman asked what the duties of a Community Service Officer were. The chief explained the duties as parking enforcement, mail runs, court runs and support for officers. He said they are looking to be fiscally responsible by using entry-level personnel,

such as police cadets, for those duties and keeping the higher paid, fully benefited and better trained personnel within their more specialized classifications. Councilmember Greene asked where potential police cadets would be recruited from. Chief Cusimano explained they come from police explorers who are too young to be sworn officers, and from volunteers who would be paid an hourly rate, and do not necessarily need benefits. Councilmember Chu asked if the position would qualify for PERS credit. Lieutenant Norton said he spoke with the Authority's contracted Human Resources advisor, and she said as long as the cadets do not work more than 1,000 hours per year, the PERS credit will not be an issue. Lieutenant Norton said opening the position of Police Cadet may bring in individuals who are interested in becoming police officers, and working in this capacity would be a good opportunity for them to see if they like the profession. Chair Rifkind asked if there were any other questions for staff, and said it is important to staff the front counter with a customer service-minded employee. Councilmember Chu asked if Council should mandate a cap of 1000 hours. City Manager Dan Schwarz said PERS and the Affordable Care Act require that after a certain number of hours benefits automatically start, so the cadet's hours would be capped. Manager Schwarz suggested an annual, rather than a weekly cap. Councilmember Greene said to be fair, potential employees should be advised of the 1,000 hour limitation.

Chair Rifkind asked if Council had any questions. There were none. Chair Rifkind asked for a motion.

Motion: M/s Chu/Ravasio to approve Resolution No. 16/13 - Approving of Job Classification Change from Part-time Community Service Officer to Part-time Police Cadet. The vote was unanimous.

3. Staff Report from Legal Counsel Thomas Bertrand Regarding Amendment of Members' Social Host Accountability Ordinances.

Legal Counsel Thomas Bertrand said the Authority works with three different Social Host Ordinances. He said Corte Madera and Larkspur's ordinances are basically the same with the same language, and they charge an administrative penalty in the form of a fine and/or community service, rather than a cost recovery. He said San Anselmo's ordinance is more of a cost recovery for the time spent by officers breaking up parties. He recommends moving San Anselmo's ordinance to an administrative fine and have the three ordinances as closely aligned in wording and sections as possible for the sake of administrative ease. Legal Counsel Bertrand said he has four other recommendations, the first being that the Police Council no longer be the hearing body for violation appeals. He said throughout the county most of the ordinances are written like an administrative citation with a chapter in which a hearing officer hears the appeal. He said once an appeal is made, it would go before a hearing officer, the requirements of whom could be promulgated by the Management Committee, (i.e., there could be one or more hearing officers acting on a rotating basis, such as a paid attorney or attorney volunteers, etc.). Legal Counsel Bertrand believes this would be a much better and more efficient process for many reasons, including the best interest of the minors. Legal Counsel Bertrand also recommends the appellants should be given the right to request a private hearing. This is especially important for minors. The next issue is the community service option which is extremely difficult on the Authority's resources with trying to manage chasing people down, keeping track of hours, etc. Most of the

appellants who have come before Council, have requested community service. Lastly, we need to get these ordinances to conform to one another for ease. Each city/town's Council would vote on it and the clerk of the municipalities would collect the fines, (which the Authority is not able to do).

Legal Advisor Bertrand said the hearing officer would hear the appellant and make the determination as to whether or not community service would be allowed. In order to conform the ordinances, Legal Advisor Bertrand will research the history of each town/city and develop an ordinance that would read the same for each community. Member Greene agreed that a uniform Social Host Ordinance is needed. Manager Schwarz said after the uniform ordinance is drawn up, it would be helpful for the Police Council to recommend it to their respective city/town Councils. Member Greene said without a uniform Social Host Ordinance, it would be chaotic, incoherent and practically impossible for the officers to enforce. Regarding an administrative fine, Legal Advisor Bertrand said there may be legal implications with a cost recovery charge as some offenders may not be able to afford the charge. Legally, the offender should be given the option to perform community service if they are unable to pay, but community service should be kept to a minimum due to the difficulty of the Authority to follow-up. Member Furst asked if Legal Advisor Bertrand was suggesting removing the community service option. Member Greene said the community service cannot be taken out without it being discrimination. He said if someone can not pay, the hearing officer would make some kind of arrangement; such as half fine, half community service. Member Greene said there should be a clear legal distinction as to the definition of the meaning of an "unsupervised teenage party". Manager Schwarz said the police are called when a teenage party is out of control and it is unlikely someone would report underage drinking at a private family gathering. Lieutenant Smith said that it is the out-of-control teenage parties the officers are called to respond to. Lieutenant Norton said there should not be limitations as there are exceptions and officers should be allowed to take everything into consideration and make a determination. Legal Advisor Bertrand said he will look at the way other ordinances are written and will examine how the word "unsupervised" is, or is not used. Member Greene was also concerned about the word "appeal" as it makes the assumption that there has already been adjudication. He suggested it be called a "contested hearing". Legal Advisor Bertrand said most appellants are appealing the fine, not the citation. Chief Cusimano said it is good to continue the conversation regarding how to conduct community service. Chair Rifkind asked member Ravasio and Member Chu what they thought, being that they are on the Coalition for Healthy Youth and are very involved in preventing underage drinking. They agreed that the alcohol is coming from homes, and each community needs to unify their Social Host Ordinances and use community service as a tool. They said since the enforcement of the ordinance, it has subsided greatly. They also said the Social Host Ordinance is a tool for parents as well.

Chair Rifkind said Council supports amending the hearing procedure and language; they support an independent hearing officer and that the appellant has a choice of electing a public or private hearing. Council will not eliminate community service but will be mindful of the administrative burden on the Authority and will keep it to a minimum when possible. Chair Rifkind said the communities will work collaboratively to develop a uniform Social Host Ordinance. Legal Advisor Bertrand will develop the ordinance and it will go to the three City/Town Councils.

4. Chief Cusimano's Presentation Regarding Risk Management

Chief Cusimano told Council that the department is developing a best practices approach to protecting officers. He said the Authority is one of fourteen agencies in a risk pool which evaluates Workers' Compensation (W/C) claims and seeks to reduce them. Age and length of service determine the pool of injury. They have narrowed the range where most of the money is paid out, to the thirty to forty-nine year olds. Risk Management takes into account the effect of Workers' Compensation claims upon department moral and they seek to prevent the most common W/C injuries which have a large negative impact on departments. Lieutenant Norton displayed an officer's utility belt for Council. They were able to feel the weight of the belt and observe the different tools on the belt. Chief Cusimano explained that officers carry many tools on their belts besides guns. He said things can be done to reinvest in the officers and give them the tools they need so their equipment is up to date. He said they experimented with officers wearing the outer carrier vest, and the training officers advised that the redistribution of tools (except for the gun and taser, which are muscle memory) was helpful. Sergeant Khalili, Officer McVeigh and Officer Lopez demonstrated their uniforms and gear. Chief Cusimano said they are working with the Management Committee and looking for grants to implement new equipment. Chair Rifkind said Council supports the Authority's efforts for a safer work environment and reduction of injuries.

Chief Cusimano presented Officer Patty Monge and congratulated her for receiving the State School Resource Officer of the Year Award. He said Officer Monge is committed to the kids and has won many awards over the years. He said Officer Monge represents the best of the Central Marin Police Authority. Officer Monge said she is proud to work for the communities and appreciates the support of the Chief and the Police Council.

Councilmembers and Management Committee Reports and Comments

Manager Schwarz said the audit is ready but the person who was in charge of it passed away. The auditing firm needs more time before they can present the audit. Chair Rifkind said Council sends condolences on behalf of the Authority.

Chair Rifkind asked for a motion to adjourn.

Motion: M/s Greene/Chu to adjourn. The vote was unanimous.

Meeting was adjourned at 5:55 p.m.

Respectfully Submitted,

Dana L. Unruh
Authority Clerk

CENTRAL MARIN POLICE COUNCIL

HELD AT
CENTRAL MARIN POLICE AUTHORITY BUILDING
250 DOHERTY DRIVE
LARKSPUR, CA 94939
ON
TUESDAY, NOVEMBER 19, 2013
AT 4:30 P.M.

DRAFT MINUTES

ROLL CALL

COUNCIL MEMBERS

PRESENT: Len Rifkind, Chair
Tom McInerney, Vice Chair
Kay Coleman, Alternate Councilmember
Bob Ravasio, Councilmember
Diane Furst, Councilmember
Larry Chu, Councilmember

STAFF

PRESENT: Dan Schwarz, Larkspur City Manager
Debbie Stutsman, San Anselmo City Manager
Todd Cusimano, Chief of Police
Jim Shirk, Captain
Sean Smith, Lieutenant
Michael Norton, Lieutenant

Closed Session began at 4:30 p.m. Chair Rifkind stated there was no reportable action from Closed Session. Closed Session adjourned at 4:50 p.m. Public Session opened at 4:55 p.m.

PLEDGE OF ALLEGIANCE

OPEN TIME FOR PUBLIC EXPRESSION

Chair Rifkind asked if any members of the public would like to address the Council. There were no public comments.

CONSENT CALENDAR

1. **Approval of Consent Calendar**

- A. The Authority Clerk certifies the Agenda has been posted in accordance with the requirements of the Government Code.
- B. Resolution No. 19/13 – Fixing the Employer’s Contribution under the Public Employees’ Medical and Hospital Care Act.
- C. Resolution No. 20/13 – Establishing a Health Reimbursement Arrangement (HRA) Plan through Keenan Financial Services.

Chair Rifkind asked Larkspur City Manager Dan Schwarz to give a brief explanation of Resolutions 19/13 and 20/13. Manager Schwarz said the two resolutions are related. He explained Resolution No. 19/13 saying, during current M.O.U. negotiations, Council put into place a form of OPED liability reform. The Authority’s retiree health program for new-hires was moved from the current defined benefit rate, (Kaiser Family rate) to the minimum declared contribution rate, which is the lowest rate allowed and still be a participant in PEPCA. This resolution was passed at the last meeting; however a CalPERS analyst did not like the format of that resolution, so it has been re-written for approval. He explained Resolution No. 20/13 as when an agency is switching to minimum employer contribution approaches and still has retirees or pending retirees who are on a higher level benefit, the employer has to fill the gap in terms of making sure the benefit gets paid. It has to be done in a way so the IRS doesn’t treat that gap fill as income. This requires the formation of an IRS trust under Section 415 and Council is being asked to set up that trust. Member Coleman asked how many retirees the Authority has. Chief Cusimano said the Authority has about thirty retirees. Chair Rifkind asked if there were any more questions, there were none. He then asked for a Motion to approve Resolution 20/13.

Motion: M/s Coleman/Furst to approve the Consent Calendar. The vote was unanimous.

BUSINESS ITEMS

2. **Resolution No. 21/13 – Establishing a schedule of Central Marin Police Authority Police Council Regular Meetings for 2014.**

Chief Cusimano said he realizes the current manner of setting Council meetings has not been convenient for council members and he would like the members’ input in setting a meeting schedule for 2014. Each member expressed their calendaring needs and the final schedule was set as: 7:00 P.M. on the third Thursday in: January 16th, April 17th, June 19th (budget meeting), and October 16th. The location will rotate between 525 San Anselmo Avenue, San Anselmo and 250 Doherty Drive, Larkspur.

Chair Rifkind asked for a Motion to pass Resolution No. 21/13 with the established schedule.

Motion: M/s Furst/Coleman to approve Resolution No. 21/13. The vote was unanimous.

Chair Rifkind asked if any Council Members or the Management Committee had any reports or comments. There were none.

Chair Rifkind asked for a Motion to adjourn.

Motion: M/s Ravasio/Furst to adjourn. The vote was unanimous.

The meeting was adjourned at 5:20 p.m.

Respectfully Submitted,

Dana L. Unruh
Authority Clerk